

Center for peace, Conversion and
Foreign Policy of Ukraine

Public initiative “Europe without barriers”

**PUBLIC MONITORING OF THE EU
MEMBER STATES’ VISA
ISSUANCE POLICIES AND
PRACTICES IN UKRAINE
ANALYTICAL REPORT**

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Renaissance Foundation

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The publication is about the outcomes of independent monitoring of the visa issuance to the citizens of Ukraine by the EU Member States' consulates. The monitoring was conducted by the all-Ukrainian consortium of the NGOs and think-tanks under coordination of CPCFPU in 2008. Changes and tendencies of visa policies and practices of the EU in Ukraine after Schengen zone enlargement and EU-Ukraine Visa Facilitation Agreement implementation have been analyzed.

Public Monitoring of the EU Member States' Visa Issuance Policies and Practices in Ukraine

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FOREWORD

Center for Peace, Conversion and Foreign Policy of Ukraine presents the results of large scale research project which was carried out during the second half of 2008 and the beginning of 2009. The research was focused on monitoring of visa issuance policy and practice conducted by EU Consular establishments in regard to Ukrainian citizens after the Schengen zone expansion (on December 21st, 2007) and after the Agreement on Facilitation of the Issuance of Visas between Ukraine and the EU (VFA) had entered into force (on January 1st, 2008).

The research is the continuation of joint long term efforts made by the Center and its partner organizations in order to provide independent expertise of the conditions for people-to-people contacts between Ukraine and the EU and benefit to lifting of artificial barriers.

During this stage of the project the Center and its regional partners created a Consortium of non governmental organizations and think tanks “Europe without Barriers”. The consortium represents all the regions of Ukraine where the EU Consular offices are situated. As a result complex evaluation of Consular establishment activities was made possible regardless their location. Besides, the comparison of services provided for applicants in Kyiv and in other Consular locations was made.

In addition, we formed a stable national community of public activists and professional analysts (policy analysts and sociologists) eager to combine research work and public advocacy of positive changes. The ultimate aim of such changes comprises final lifting of visa and other administrative barriers for human communication within Europe.

Social and political context of our initiative is rather uncertain. On the one hand, European Union has reached further than

implementation of VFA – as in September 2008 the EU launched visa dialogue with Ukraine aimed at introduction of symmetrical visa free regime, i.e. future cancellation of visa obligations for the citizens of Ukraine.

On the other hand, Ukrainian society accumulated considerable potential of justified dissatisfaction with the procedures and conditions for visa issuance to EU Member states. It is clearly expressed in numerous critical publications in mass media and declarations made by politicians and public figures.

At the same time excessive politicization of the issue is observed. Unreasoned political declarations are repeatedly made, in particular appeals to evade implementation by Ukraine of the Agreement on readmission of persons from the EU Member States as well as to reestablish visa obligations for the EU citizens. Realization of similar appeals may significantly complicate and postpone achievement of the aims which are vital for Ukrainian society, primarily further liberalization of visa regime and its final cancellation on behalf of the EU.

Under such conditions consolidation of professional efforts and public activity is particularly urgent as it will provide quality expertise and well thought policy recommendations in this sphere.

Consortium activities are not limited to the territory of Ukraine. An the end of 2008 in cooperation with our partner organizations we held comparative monitoring of visa issuance conditions on behalf of EU Consular establishments for the citizens of Ukraine, Russian Federation and Belarus (under coordination of Stefan Batory Foundation, Poland). The results of this monitoring will be presented separately.

In 2009 Consortium activities will be focused on further evaluation of procedures and conditions of visa issuance for the citizens of Ukraine as well as benefiting to prompt meeting the criteria and standards for visa free regime. It will be achieved

by means of providing expert evaluations and recommendations to the relevant public authorities, conducting trainings, seminars and other activities.

Spreading detailed and reliable information about visa policy of EU Member States among Ukrainian society as well as promoting the idea of visa free movement within EU Member States for countries included into “Eastern Partnership” initiative will comprise important components of Consortium activities.

CPCFPU and the Consortium “Europe without Barriers” express our gratitude to European Program of International Renaissance Foundation for supporting our activities.

On behalf of CPCFPU and its partners,
Oleksandr Sushko

MAIN FINDINGS AND CONCLUSIONS

The research was held in the year 2008 by consortium of independent think-tanks/NGOs representing Kyiv and 6 regional centers of Ukraine.

The research was held by means of respondent survey at the exit of consulates (or Visa centers). 840 respondents were polled, covering applicants to consular establishments of 11 Schengen states located in Kyiv (10 consulates and Visa centers) and other regions of Ukraine (11 consulates) – i.e. 40 applicants to each consulate. The choice includes only applicants who personally passed through the whole visa application procedure – starting from applying and to the final decision concerning visa issuance. The choice does not include those who received visa via tour agencies.

Countries of the research (in parenthesis – number of consulates surveyed):

Germany (1), France (1), Italy (1), Spain (1), Belgium (1), Greece (2) – “Old” Schengen states

Poland (5), Hungary (3), Czech Republic (3), Slovakia (2), Lithuania (1) – “New” Schengen states.

The research is aimed to assess visa issuance for the citizens of Ukraine by Schengen States’ consulates according to the following parameters:

- Queues;
- Waiting period for Consulate’s decision;
- Visa refusals: number and reasons;
- Availability of multiple entry, long terms and free of charge visas;
- Validity of multiple entry visas;

- Visa procedure cost;
- Documents, complexity of the procedure and treatment towards applicants;
- Evaluation of changes in visa procedure;
- Distances to consulates.

The outcomes demonstrate the existence of the following **TENDENCIES**:

Positive:

- General decrease (taking into account the whole Schengen zone) in the number of visa refusals – up to 8% (July) and 6,6% (November), while during previous years such indicator generally equaled to 12-14%
- Introduction of new visa processing technologies enabled consulates of several EU Member States (mainly “old” ones) to shorten visa procedure period and overcome the problem of queues to a certain extend. Visa application processing in “Old Schengen” states in more than 50% of cases lasts up to 1 week. In most cases visa application queues do not exceed more than 1 hour in “Old Schengen” states.
- “Old Schengen” states issued 23,5% (July) – 31,8% (November) of multiple entry and 27% (July) – 25,7% (November) of free of charge visas which is by 2-3 times more than during previous years.
- Majority of the applicants rather positively evaluates the atmosphere of communication with consular officers.
- The results of the second stage of the research show the increase in positive responses and evaluations made by applicants of “New Schengen” states and balance of numerous data correspondingly with the indicators of “Old Schengen” states, i.e. gradual overcoming of most evident negative outcomes of Schengen zone expansion.

Negative:

- Significant complication of visa procedures and visa requirements in “New Schengen” States. In July applicants stressed on degradation according to all parameters: «queues», «procedure duration», «fees for the services», «document requirements», «clarity of visa demands and criteria» and «visa refusal risk». However, according to November survey a certain progress and leveling of the situation was noticed. This fact is partially caused by improvement of consulates’ activities as well as by seasonal factor.
- In most cases the situation with visa issuance in “New Schengen” states is far worse than in “Old” ones, in particular in terms of time spent in queues (cases of queues that last 2, 3, 4 and even more hours are rather frequent) and period of waiting for visa decision (overall about 25% of respondents waited for more than 10 days which does not meet the provision of VFA). This situation undergoes seasonal impact – queues are substantially longer in spring and summer, and rather shorter in autumn and winter.
- 23% (in July) and 40% (in November) of applicants to “Old Schengen” states note the necessity to pay extra fees to the outsourcing intermediaries (Visa centers). As a result, visa procedure fees exceed 60 Euro instead of maximum of 35 Euro as defined in the VFA. The share of persons who pay additional fees to the intermediaries is increasing.
- Before the Schengen zone enlargement Ukrainian visitors to the CEE states (“New Schengen”) didn’t pay a visa fee. Now in the most of cases (about 70% in both stages of the research) applicants of those states had to pay 35 Euro fee at least, about 30% only obtained visas free of charge.

- In 2 out of 3 cases in July and 1 out of 3 cases in November of visa refusal the reasons of refusals were not explained.
- Validity of multiple entry visas in most cases does not exceed 1-3 months. Only 13-15% of multiple entry visas were valid for a period over 6 months.
- The survey did not define the decrease in the number of the documents required from the applicants by the Consulates. This fact questions the quality of implementation of Article 4 of the Agreement which stipulates an exhaustive list of documents for confirmation of the purpose of visit for certain categories of citizens.

Data presented above give ground for the following **CONCLUSIONS**:

Agreement on the Facilitation of the Issuance of Visas between Ukraine and European Community (VFA) became the first step in the right direction but it has not managed to compensate all negative outcomes significant changes in the Eastern Europe over the last 8 years – primarily introduction of visa regime by new EU Member States and their accession to the Schengen zone.

VFA contributed to some extent to certain improvement of the situation with visa issuance for the citizens of Ukraine mostly in “Old Schengen” States. At the same time the Agreement has not yet turned into efficient instrument capable of compensating negative outcomes of Schengen zone expansion for the majority of Ukrainian citizens traveling to EU Member States. De facto there is a lack of mechanisms of direct action as consulates continue to apply instructions that either ignore certain provisions of the Agreement or interpret its ambiguous provisions not to the benefit of Ukrainian applicants.

Organizers of the research expect that the problems revealed during the research will become the subject for discussion at the meetings of Joint Expert Committee on Implementation of VFA between Ukraine and the EU as well as for the political dialogue and cooperation on justice and home affairs between Ukraine and the EU.

OUTCOMES OF PUBLIC MONITORING OF VISA ISSUANCE BY THE EU CONSULATES IN UKRAINE

(JULY-NOVEMBER 2008)

Field study stages:

1st stage: July 2008

2nd stage: November 2008.

The aim of the research:

- To assess the quality of implementation of the Agreement on the Facilitation of the Issuance of Visas (VFA) between Ukraine and EU and its impact on visa policy and practice of EU Member States
- To detect an impact of Schengen zone expansion on human contacts between Ukraine and new Schengen States

Project participants:

The research was held by consortium of independent think-tanks/NGOs representing Kyiv and 6 regional centers of Ukraine.

- Project coordinator - Center for Peace, Conversion and Foreign Policy of Ukraine, Kyiv.
- Regional participants:
 - Kharkiv Public Foundation for Local Democracy
 - Regional Branch of National Institute for Strategic Studies in Uzhgorod
 - Donetsk regional NGO “Institute for Social Studies and Policy Analysis”
 - Information-research centre “Global”, Odessa

- Association for Youth Rights Protection in Volyn Region,
Lutsk
- Lviv Legal Society

The research was held by means of respondent survey at the exit of consulates (or Visa centers). 840 respondents were polled, covering applicants to consular establishments of 11 Schengen states located in Kyiv (10 consulates and Visa centers) and other regions of Ukraine (11 Consulates) – i.e. 40 applicants to each consulate. The choice includes only applicants who personally passed through the whole visa application procedure – starting from applying and to the final decision concerning visa issuance. The choice does not include those who received visa via tour agencies.

Countries of the research (in parenthesis – number of consular establishments surveyed):

Germany (1), France (1), Italy (1), Spain (1), Belgium (1), Greece (2) – “Old” Schengen states

Poland (5), Hungary (3), Czech Republic (3), Slovakia (2), Lithuania (1) – “New” Schengen states

Error margin is $\pm 5\%$.

Structurally the research enables evaluation of the situation of visa issuance for the citizens of Ukraine on behalf of Schengen states according to the following parameters:

- Queues;
- Waiting period for Consulate’s decision;
- Visa refusals: number and reasons;
- Availability of multiple entry, long terms and free of charge visas;
- Validity of multiple entry visas;

- Visa procedure cost;
- Documents, complexity of the procedure and treatment towards applicants;
- Evaluation of changes in visa procedure;
- Distances to consulates.

The narrative analytical report based on the abovementioned parameters is presented below.

Queues

Queues constitute indivisible component of visa procedure. More than half of the respondents surveyed during both stages of the research face the necessity to stand in queues at different stages of visa procedure. However, a certain difference in quality of the initial stage of visa procedure organization by “Old” and “New” Schengen Consulates was recorded: while in 73% of cases the applicants to “New Schengen” States stood in queues, only 59% (by 14% less) of such cases were registered among the applicants to “Old Schengen” states. Such situation can be explained by the fact that “Old Schengen” states apply the scheme of preliminary registration via Internet or phone more frequently, or, as in the case of Consulates of Belgium, Spain, Italy, they have delegated part of their competence to the intermediary Visa centers applying preliminary registration as well. As an outcome some of the real, “live” queues have been transformed into the “virtual” ones.

In July within the group of “Old Schengen” states the applicants to Consulate of France spent most time in queues – 72,5% as well as applicants to Consulate of Italy – 67,5%. Among the group of “New Schengen” states the Consulate of Lithuania is the most distressing one as 82,5% of its applicants had to wait in queues.

At the same time 73,5% of applicants to all five Polish Consulates faced the same problem (much less in Odesa and Kharkiv, much more in Lviv and Kyiv).

In November 62,9% of applicants to “New Schengen” and 51% applicants to “Old Schengen” states had to wait in queues. Decrease of queues late autumn is determined mostly by the seasonal decrease of the number of applicants.

Solving the problem of queues by means of preliminary appointment setting is obviously a more effective way of organizing application procedure. However big number of applicants (especially those from the countryside) face difficulties in the process of preliminary registration due to the lack of Internet or proper phone connection.

Applicants spend most of the time on 2 stages of visa procedure: document submission and collecting the passports with visas. In July 13, 5% of applicants to countries of “New Schengen” claimed the longest queue duration – more than 4 hours – at document submission stage and more than 20% of them spent about 1,5- 4 hours in queues at this stage of visa application procedure as well (Diagram 1). At the same time majority of the applicants to “Old Schengen” States spend up to one hour in order to submit the documents.

Situation improved in November. For example, only 1,1% of applicants to “Old Schengen” and 1,6% applicants to “New Schengen” states had to wait in queues for more than 4 hours. At the same time majority of applicants to consulates of “Old Schengen” states (36%) spend in queues 30-60 minutes. 11,4% of applicants to “New Schengen” consulates spend as much time.

Applicants to “New Schengen” states had to wait for more than 3 hours, in particular while applying to the most popular Consulates in Ukraine, such as those of Poland, Slovak Republic, and Czech Republic.

In general shorter waiting period noted during the second stage of the survey may be explained through the seasonal impact. For example, the number of applicants was bigger in summer (the period of the first stage) than in late autumn when the second stage of the monitoring was carried out.

According to the results the work of “Old Schengen” consulates seems to be better organized in this regard, however such processing scheme has its own price usually paid in money (*for more details see the chapter “Visa procedure cost” below*).

Diagram 1. How long did you have to wait in queue to submit application documents? (% of all respondents) - July 2008

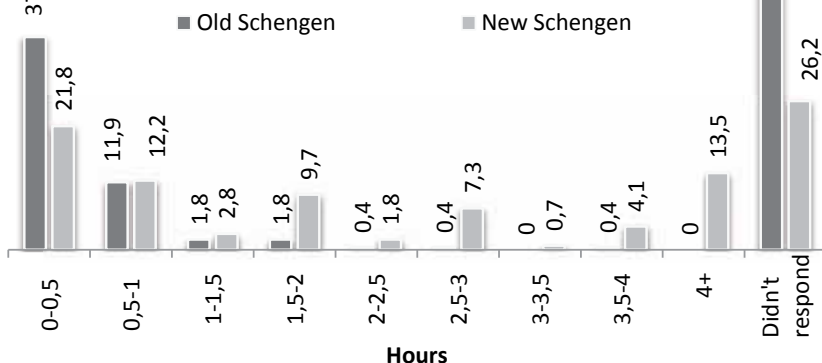
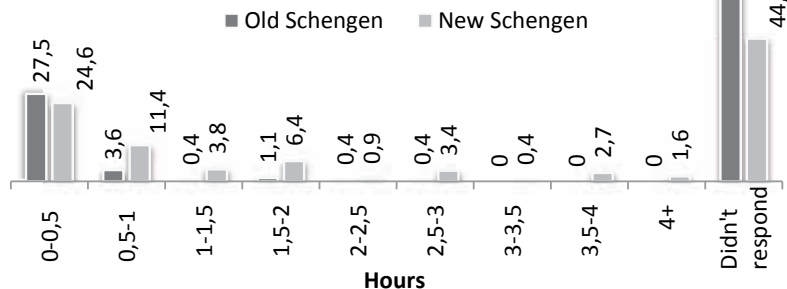


Diagram 1a. How long did you have to wait in queue to submit application documents? (% of all respondents) - November 2008



According to the results of the first stage of the survey (July 2008) the issue of existence of queues in order to collect passports with visas seems more favorable in “Old Schengen” states in comparison to less experienced Central and Eastern European countries (Diagram 2). According the second stage (November 2008) applicants to “Old Schengen” states need less time in order to obtain a visa – about 37,1% stated that 30 minutes are sufficient. 30,5% of applicants to “New Schengen” states spend as much time in order to obtain visas. A certain shortening of waiting

Diagram 2. How long did you have to wait in queue to collect a visa (to get a decision)? (% of all respondents) - July 2008

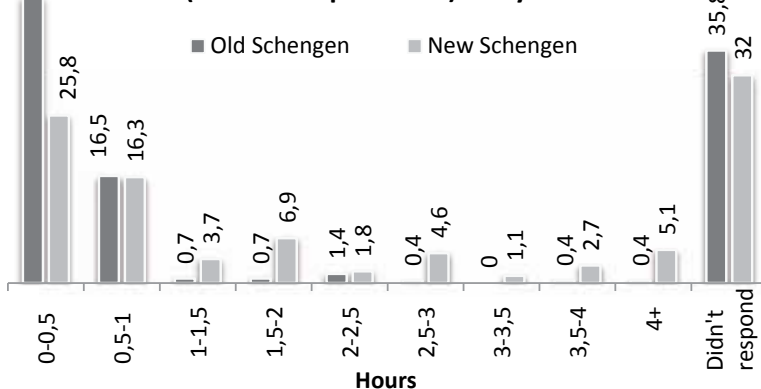
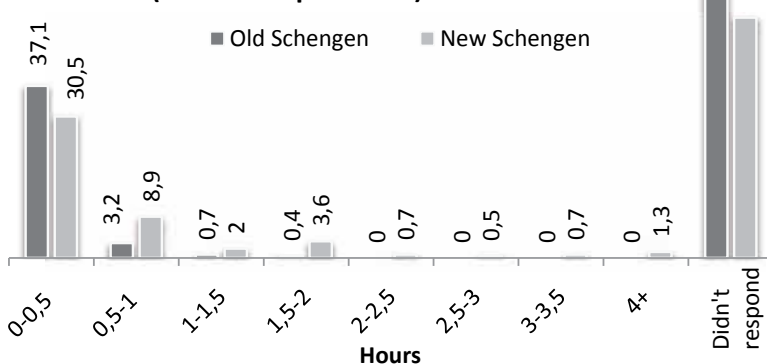


Diagram 2a. How long did you have to wait in queue to collect a visa (to get a decision)? (% of all respondents) - November 2008



period in order to collect the passport is observed in the case of “New Schengen” states. For example, during the summer stage of the survey 5,1% of the applicants stated that they spent more than 4 hours in the consulate, whereas during autumn stage of the survey their number decreased to 1,3%.

According to the second stage of the monitoring imbalance leveling of certain indicators of visa procedure time was observed. For example, almost half of the respondents of “New Schengen” countries - 39,4% and about the same number of applicants to “Old Schengen” - 40,3% spend up to one hour (and most of them – 30 minutes) in order to collect the passport (Diagram 2a).

It should be noticed that according to the results of two stages of the survey during both phases of visa procedure almost half of the respondents did not give an exact answer on the question concerning the duration of visa queues – the most of those people either didn’t stand the queues or consider them as an insufficient issue. **However, it is obvious that the applicants of “New Schengen” states spend more time in queues than “Old Schengen” applicants. Nevertheless we should mention gradual tendency towards balancing of the situation.**

Waiting period for consulate decision

From the moment of document submission to the moment of collecting the passport with visa (or other decision) 23% of applicants to “Old Schengen” consulates surveyed during the first stage have waited for 2-3 days for the decision, while the majority of applicants to “New Schengen” have waited for 7-8 days. However, 36% of applicants to “New Schengen” and only 8% of applicants to “Old Schengen” states have waited for a period from 9 to 20 days (Diagram 3). Data received during the

second stage of the survey indicate longer waiting period for consulate decision, in particular majority of applicants to “Old Schengen” - 26,4% claim the period of 8 days, and 38,9% of applicants to “New Schengen” countries stated the same waiting time. These data demonstrate gradual leveling of waiting periods between two groups of Schengen states.

Diagram 3. How many days have you been waiting for decision? (% of all respondents) - July 2008

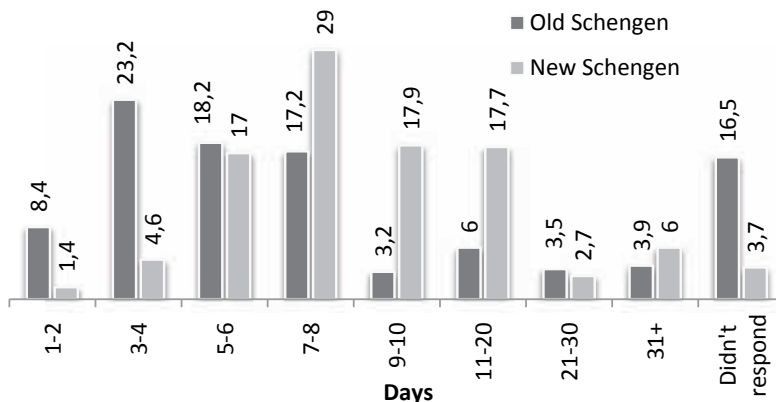
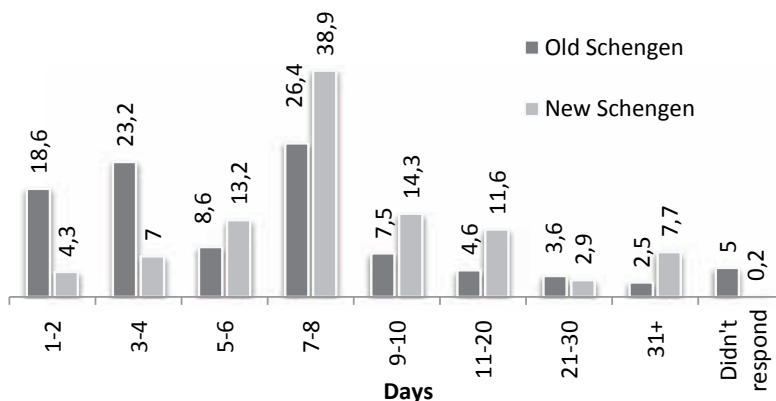


Diagram 3a. How many days have you been waiting for decision? (% of all respondents) - November 2008



According to the provisions of the EU-Ukraine VFA visa applications should be processed in 10 calendar days starting

with the date of application and document submission. However, Article 7 in paragraph 2 stipulates that “the period of time for taking a decision on a visa application may be extended up to 30 calendar days in individual cases, notably when further scrutiny of the application is needed”. Thus this practice does not directly contradict with the Agreement however it serves as an important indicator of consulates’ work efficiency.

In reality number of cases when visa procedure exceeds 10 calendar days stipulated by VFA in “Old Schengen” consulates reaches 13,4% (July) – 10,7% (November) and twice higher in the “New Schengen” consulates - 26,4% (July) – 22,2% (November) – Diagrams 3 and 3a.

It should be mentioned that the results of the second stage demonstrate the extension of waiting period for applicants to both Schengen groups and clear imbalance leveling in waiting period duration which generally equals to 8-10 days for “Old” and “New” Schengen states. However there is still a tendency of longer visa procedure in Consulates of “New Schengen” states. Such situation may be explained by the following peculiarities of “New Schengen” consulates: traditionally bigger flow of applicants; usually bigger number of persons who apply for D type visas (mostly working visas), lack of system of preliminary appointment setting and still insufficient network of consulates in Ukraine.

In terms of the research the respondents were asked a question whether the duration of visa procedure was shorter when the applicants made their first contact with consulate staff via phone. As it turned out, firstly more than half of the respondents (50,8%) did not use the phone in order to get information or to register and others responded that the quality and availability of such service could be evaluated as “good”.

Applicants who made their first call to diplomatic missions of the Czech Republic, France and Italy had to wait for the longest time – up to seven days.

Investigating other ways of informing the applicants and availability of application submission via Internet we found out that applicants to Consulates of Italy, Spain and Germany most frequently made use of such type of visa information while none of the respondents to Consulates of Lithuania and Greece got enough information from this source. It should be mentioned that applicants have waited longer in order to set the visa appointment date via Internet than in the case of phone call. For example, applicants to consular establishments of Czech Republic, Germany and Italy have waited for more than 14 days to apply.

Internet is still not widely used; nevertheless its importance is obviously increasing, in particular with the purpose to download visa application form. For example, 58,4% of the respondents got visa application forms in a traditional way – at the consulates, while 22,4% of the respondents downloaded the application via Internet and the rest of the respondents obtained it in other ways. It should be emphasized that Internet usage level primarily depends on the quality and effective functioning of Internet pages created by relevant consular establishment.

The first stage of the research revealed that 40% of applicants to “Old Schengen” and only 15% of applicants to “New Schengen” consulates have waited to collect a visa for a period from 1 to 5 days since the day of their first visit to the consulate. At the same time every 6th visitor to the “Old Schengen” consulates spent more than 10 days on the whole visa procedure, while this indicator is 3 times higher in the case of “new Schengen” States and equals to 45% in July and about

1 out of 3 cases in November (Diagrams 4 and 4a) Difference between data provided by Diagrams 3 and 4 is determined by the fact that the date of first visit is not necessary equivalent to the date of application submission.

Diagram 4. How many days passed since the first visit to consulate till the collection of visa? (% of all respondents) - July 2008

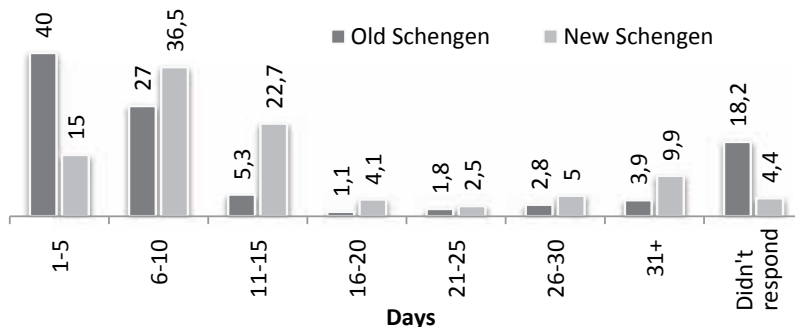
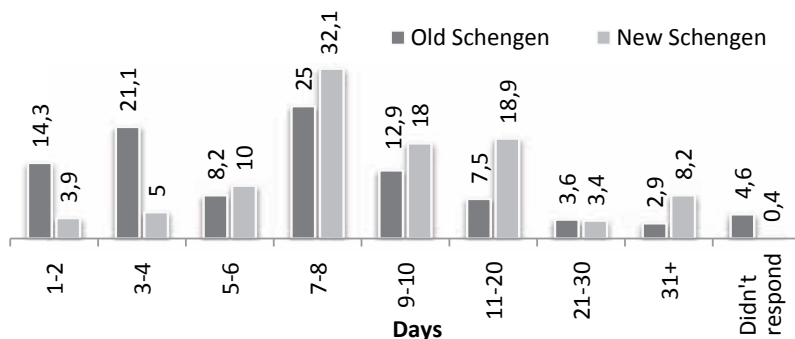


Diagram 4a. How many days passed since the first visit to consulate till the collection of visa? (% of all respondents) - November 2008



Data presented in Diagrams 4 and 4a are mostly correlated with the data presented in Diagrams 3 and 3a. However these data only attest the assumption that “New Schengen” states technologically and procedurally “lag behind” their Western partners. In July 45% of applicants to these states spent more

than 10 days counting from their first visit to the consulate to the date of obtaining the visa. **The indicator demonstrating about 10% of “New Schengen” applicants who have waited for a month or more since their first visit to the consulate in order to obtain a visa is a rather worrying one.**

The first stage of the survey revealed that more than half of the respondents in both consulate groups visited the consulates twice during visa procedure. However, in July 10% of applicants to “New Schengen” and only 3% of applicants to “Old Schengen” States had to visit consulates more than 4 times (Diagram 5).

Diagram 5. How many visits did you have to pay to the Consulate during the visa procedure (including line registration)? - July 2008

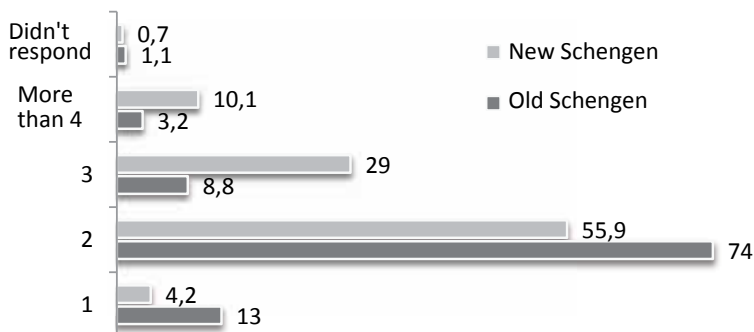
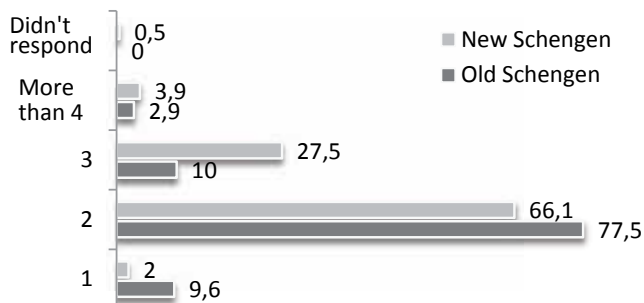


Diagram 5a. How many visits did you have to pay to the Consulate during the visa procedure (including line registration)? - November 2008



In November the situation changed just slightly. For example, in November 77,5% of applicants to “Old Schengen” and 66,1% of applicants to “New Schengen” states paid two visits in order to obtain Consulate decision (1 – document submission, 2 – passport collection).

Consulate’s capacity to process visa documents and take a decision within one day testifies its high level of efficiency. Only 9,6% of applicants to “Old Schengen” stated such possibility (most of them - in Consulate of France). In the case of “New Schengen” such indicator is very low and statistically inconsiderable.

Generally a significant decrease in the number of those who had to visit the Consulates more than 4 times is noticed in the case of applicants to “New Schengen” from 10% in July to almost 4% in November, while this indicator concerning applicants to “Old Schengen” remained on the same level - about 3% of the respondents.

A big number of visits to Consulates is one of indicators of complicated visa procedure. Two stage survey showed that in most cases two visits to Consulates are sufficient for the citizens, and big number had to pay three visits (10% - “Old Schengen” and 27,5% - “New Schengen” in November). Overall small number of visits cannot be considered as self sufficient indicator of consulates’ activities if almost half of the applicants travel from distant places.

Visa refusals: number and reasons

According to the first stage of the research, in July 8% of applicants to both groups of Schengen States did not receive visas (Diagram 6). In November overall refusal rate has slightly decreased to 6,6% (Diagram 6a).

Consulates of “Old Schengen” states issue more visa refusals - 9,6% while consulates of “New Schengen” states do it in 5% of cases. Refusal rate detected by the poll is close to the data announced by a number of the EU officials in Ukraine (6-8%) and reported by the MFA of Ukraine (5%). Generally this indicator decreased comparing to previous years when it reached 12 – 14%.

According to country data obtained during the first stage of the research (July) Consulate of Spain issued the biggest number of refusals among the countries of “Old Schengen”, while Germany issued the smallest number of visa refusals. In the group of “New Schengen” states the biggest number of refusals is issued by Consulates of the Czech Republic (there are three of them in Ukraine), the smallest – by Consulates of Poland (there are five of them in Ukraine) – Diagram 7.

Diagram 6. Did you get a visa? - July 2008

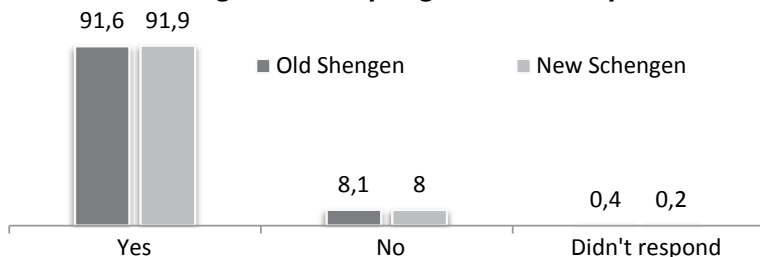
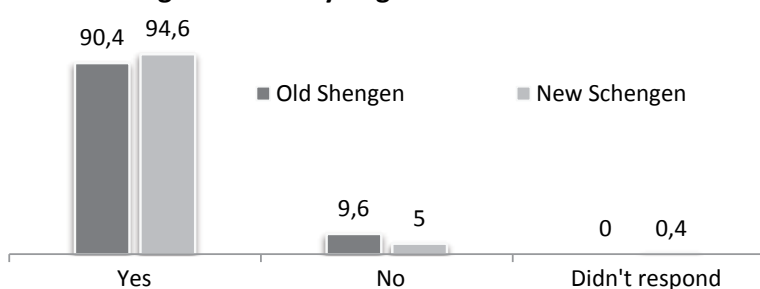
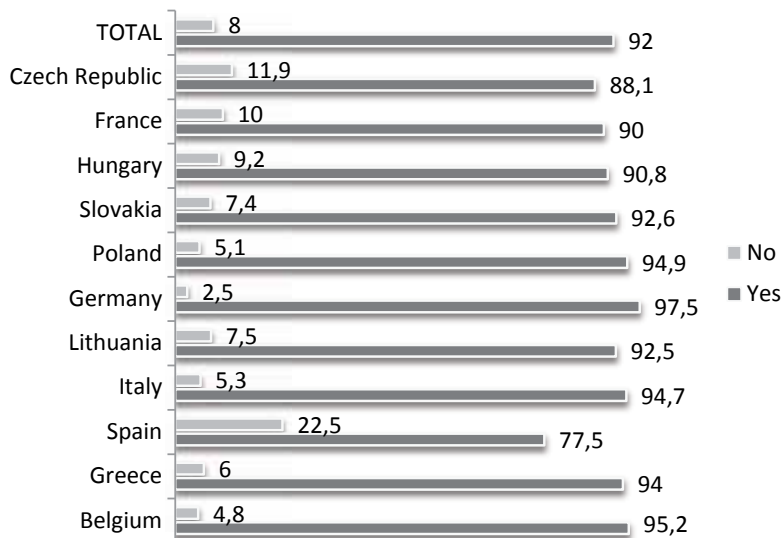


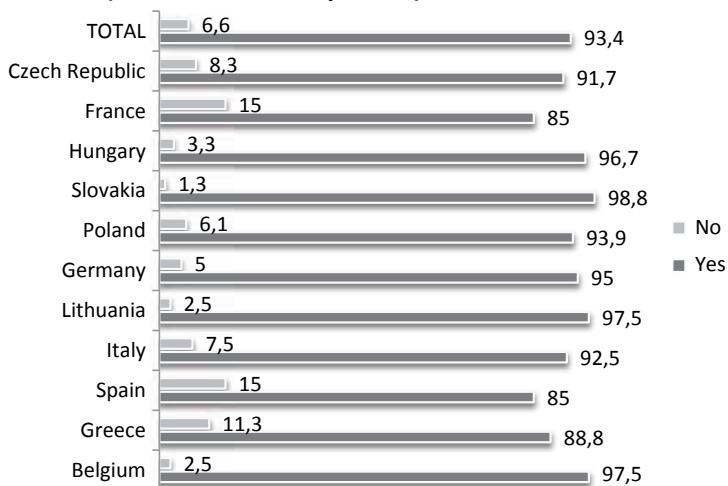
Diagram 6a. Did you get a visa?- November 2008



**Diagram 7. Did you get a visa?
(% of those who responded) - July 2008**



**Diagram 7a. Did you get a visa?
(% of those who responded) - November 2008**



In November Spain (again) and France were indicated as countries which most frequently issue visa refusals (15% of refusal rate both) as well as Greece – 11,3% . Consulate of the Czech Republic is still the first among “New Schengen”

countries which issue visa refusal more often than other states (Diagram 7a). Consulate of Slovak Republic with the indicator of 1,3% of refusals demonstrates tolerant visa policy of the country with the biggest share of positive decisions.

The first stage of the research demonstrated that about two thirds of the respondents who did not obtain visas were not informed about the reason for visa refusal. The second stage of the research showed that this indicator decreased up to one third due to consulates of “Old Schengen” consulates which in most cases provided visa refusal explanations (Diagram 8 and 8a).

Providing reasons for visa refusals is a vulnerable and important issue as due to the lack of explanations the impression about non transparent activities of consular establishments and doubtful criteria for obtaining visas emerges. It stimulates the negative image of the country the consulate represents. However, EU Common Consular Instructions (CCI) stipulate standard form of informing the applicants about the reasons for visa refusals whereas this obligation is regulated by internal legislature of each country. Lack of clearly stipulated obligation enables the consular establishment to apply this regulation at their own discretion.

The EU-Ukraine VFA provides recommendations for Member States to explain each case of visa refusal, however not all the countries adhere to these recommendations and in most cases the explanations are rather formal and general and consequently not clear. That is why initiative of European Commission to review existing “independent” approach towards visa refusals explanations was not necessary considered by EU Member States and it attests that the consulate officer who represents a certain country takes into account national instructions rather than commitments of European Commission and sometimes he/she may even ignore them. It should be underlined that providing explanation is for the benefit of both the applicant and the

consulate as it could give the possibility to avoid similar mistakes in next applications, while consulates would not be repeatedly blamed for biased decisions.

Refusals rate is one of the semi-official criteria for providing the country with visa free regime (3% of refusals is a positive benchmark). Taking into account social and political significance of this issue it is important to understand typical visa refusals in order to improve the quality of applicants' preparedness to visa application and decrease the share of visa refusals as a result.

Diagram 8. Were you informed why you were refused? (% of all respondents) - July 2008

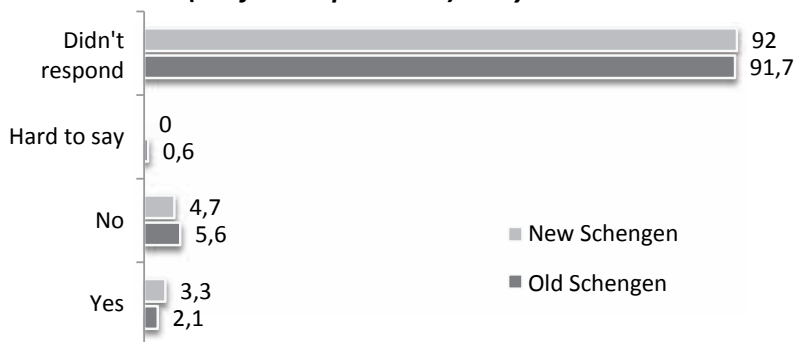


Diagram 8a. Were you informed why you were refused? (% of all respondents) -November2008



The research showed that provided explanations of refusals included incomplete set of documents, lack of financing and unfair purpose of travel in the opinion of consular officer.

Availability of multiple entry, long term and free of charge visas

The next set of questions indicates the quality and completeness of VFA implementation, in particular in terms of availability of multiple entry, long term and free of charge visas.

The respondents answered the questions concerning their self-identification according to specific categories defined by Articles 5 and 6 of the Agreement which stipulate the right to obtain multiple entry, long term visas and lifting the fees for visa processing.

According to the results of the first stage of the research only **22% of applicants in July and 40% in November didn't identify themselves with any of such categories and accordingly they may not expect the preferences mentioned above** (Diagram 9, 9a).

Therefore, the most of applicants identify themselves with at least one of the specific categories, listed by the VFA Articles 5 and 6.

In July the share of the applicants identifying themselves with the preferential categories defined by the Article 5 of the VFA (the right to receive multiple entry visas) reaches 57%. At the same time the number of applicants who received multiple entry visas is 30% of the respondents (Diagrams 9, 10)

In November 46,7% of applicants identify themselves with the specific categories eligible to obtain multiple entry visas. 39% of respondents obtained visas of such type. (Diagrams 9a, 10a).

Diagram 9. Do you belong to one of the categories listed below? (% of all polled) –July 2008

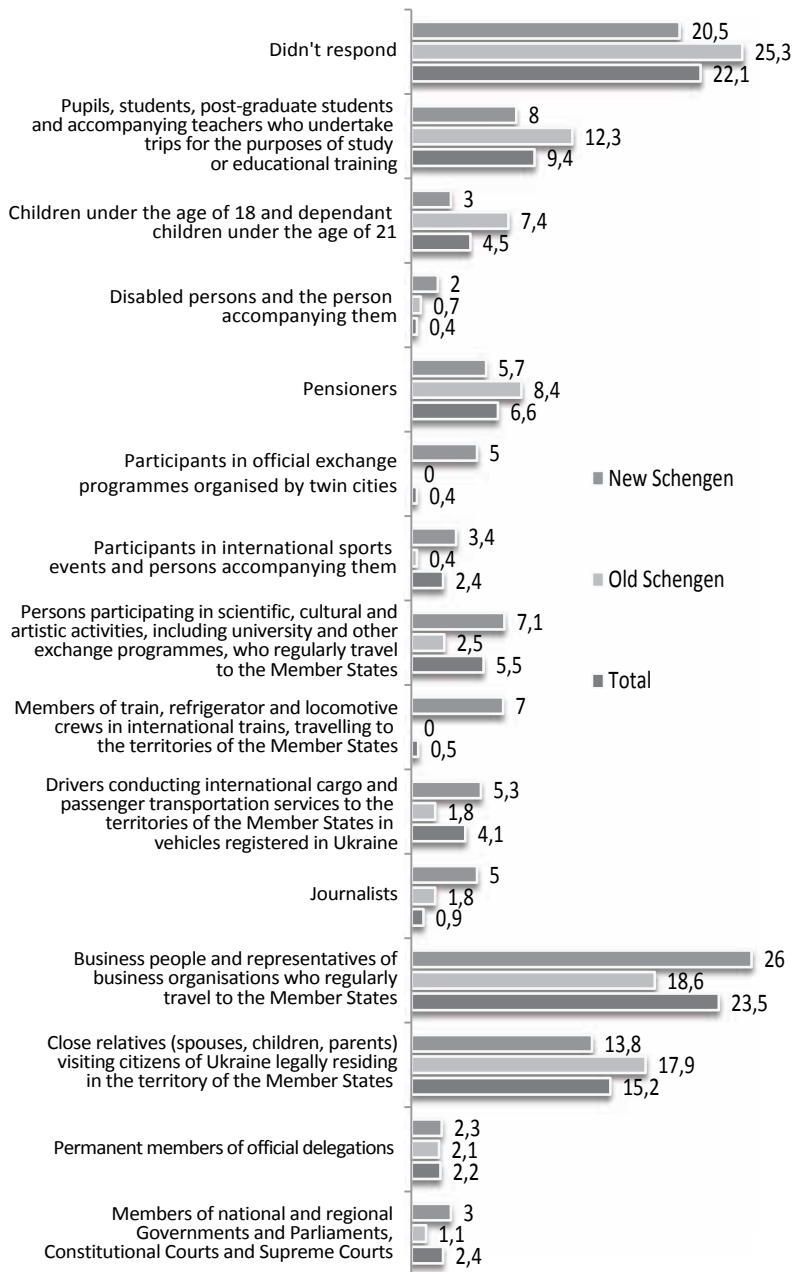
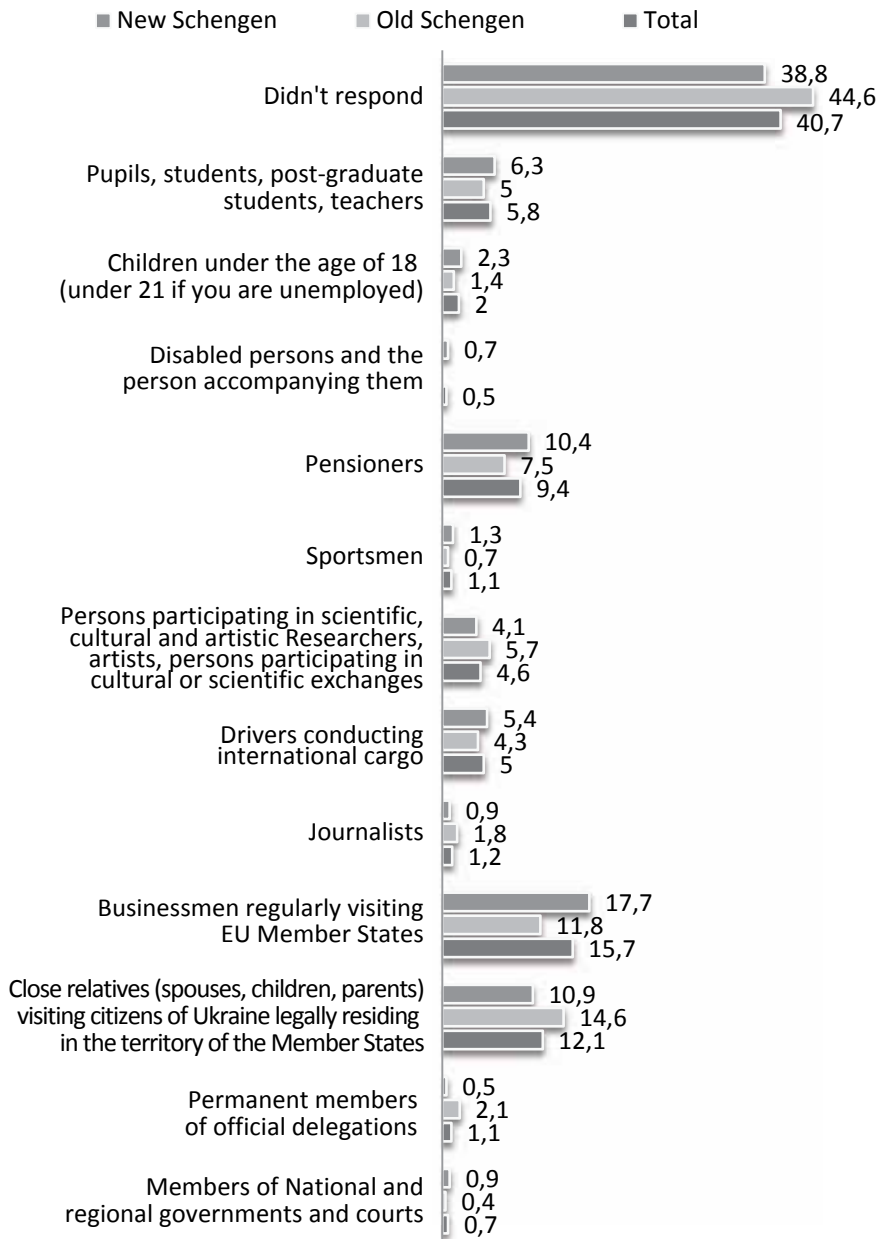


Diagram 9a. Do you belong to one of the categories listed below? (% of all polled) – November 2008



Country data of the first stage of the research show that the biggest number of multiple entry visas (out of those responded) has been issued by Hungary (61%) and Poland (49%), the smallest – by Greece (8%) (Diagram 10). The results of the second stage were surprising to some extent as they show that Italy (with its usually non-liberal visa policy) is approaching the leading Hungary by 1% according to the share of multiple entry visas issued (Diagram 10a).

In terms of the first stage of the research total number of applicants identified themselves according to specific categories defined by the Article 6 of the Agreement (the right to free of charge visa processing) equals to 54%. Number of applicants who received free of charge visas was about 29% of the responded.

In November 43,6% of the respondents identified themselves with preferential categories eligible to get free of charge visas and 28,3% of applicants did not have to pay consular fee. It means that not all applicants who are (by self-identification) eligible by VFA made use of their rights in both cases.

The first stage of the research showed that the biggest number of free of charge visas was issued by France (45%), Germany and Lithuania (41% each) and Poland (49%), the smallest – by Italy, Spain (each 10%) and Belgium (5%).

In November Greece and Germany are the countries which issue the biggest number of free of charge visas – relevantly 41,3% and 32,5%. Germany confirmed its positive indicator for twice. Lithuania (42,5%) and Slovak Republic (40%) are leaders in the group of “New Schengen” states. The results of the second stage of the monitoring attested the practice of Italy to issue a very small number of free of charge visas - 5%. (See details in the chapter “*Visa Procedure Cost*”).

Thus according to the two stage research if we take into account self identification of applicants according to relevant categories, it

is obvious that a significantly higher number of applicants should receive free of charge and long term visas. However we should acknowledge that in most cases there is no absolute connection between actual affiliation to the categories and the right to preferences. For example, if a journalist, sportsman or a researcher travels for personal and not professional reasons, he loses his right to “professional” preferences.

**Diagram 10. Number of entries you received
(% of total polled) - July 2008**

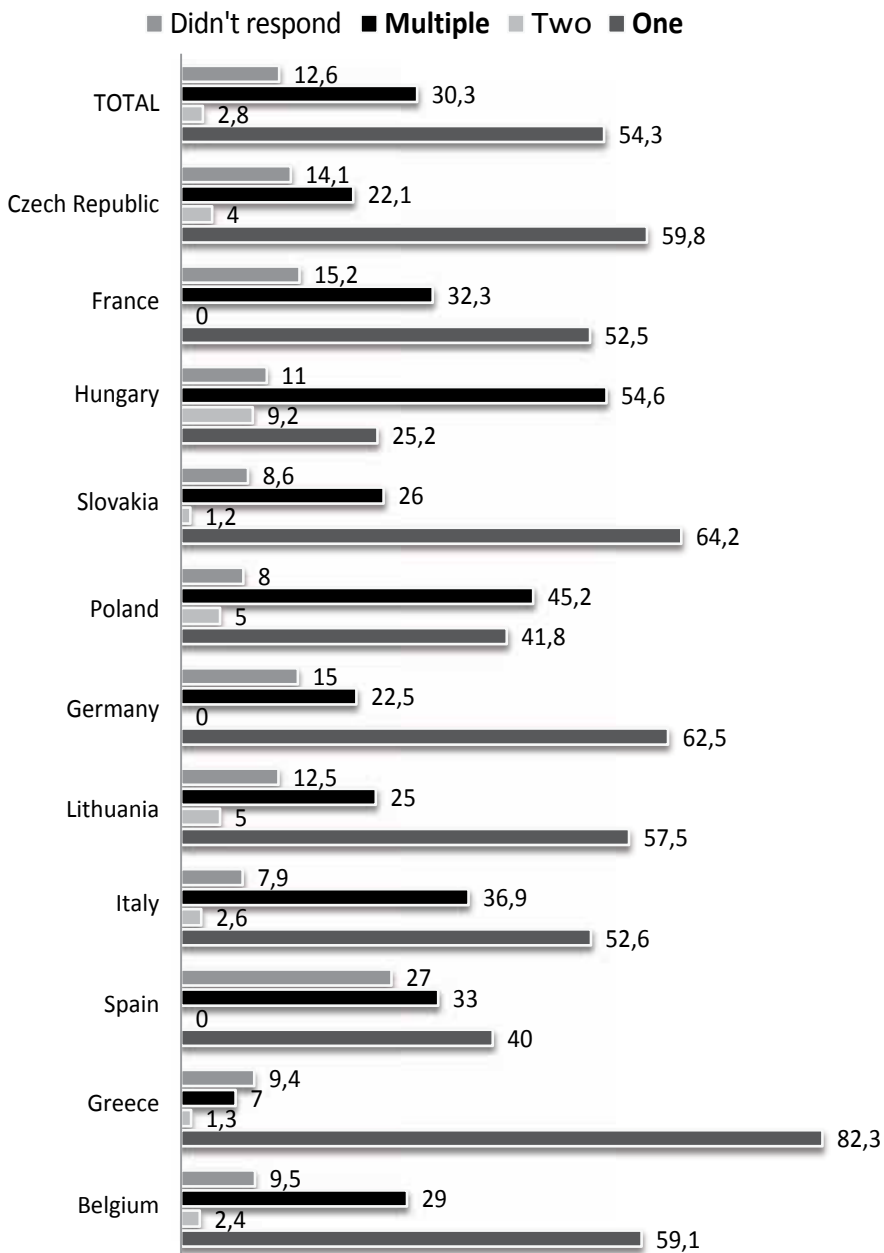
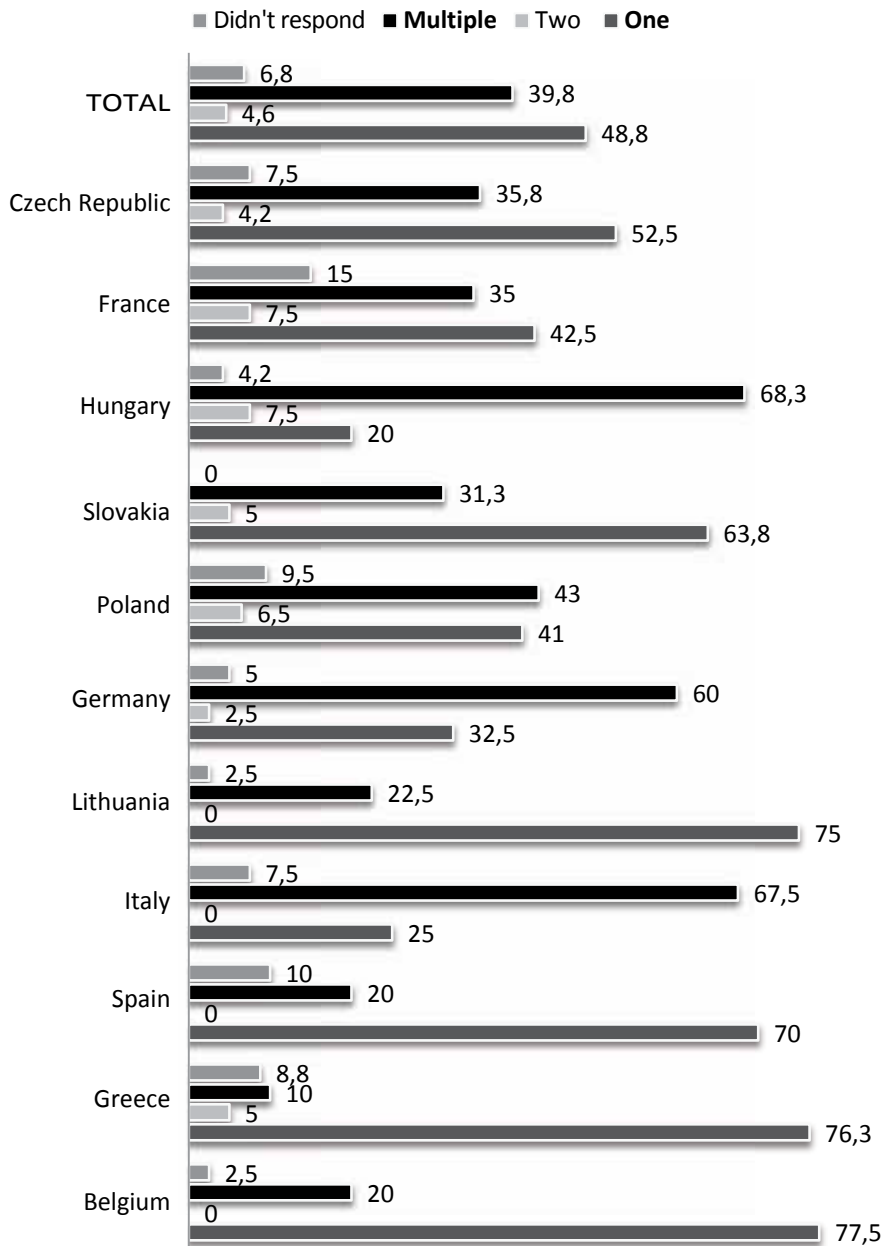


Diagram 10a. Number of entries you received (% of total polled) – November 2008



Validity of multiple entry visas

Increase in the share of multiple entry visas out of whole number of Schengen visas is evident. Comparison of the results obtained during the first and the second stages of the research shows gradual improvement of the situation. At the same time visas valid for a short period of time (1-3 months) prevail in the structure of multiple entry visas. The share of real long-term visas (1 year and more) is still not sufficient.

The first stage of the research showed that about $\frac{1}{4}$ of multiple entry visas issued by Consulates of “Old Schengen” and half of such visas issued by Consulates of “New Schengen” **are valid for about 1 month**. The second stage of the research indicated the improvement of the situation in the “New Schengen” states while the data of “Old Schengen” Consulates remained almost on the same level. Certainly **such limited validity of multiple entry visa significantly lowers its practical value**.

As to maximum duration of stay permitted by visas, visas permitting 60-90 days of stay constitute absolute minority – about 13% of the surveyed in general, while most of multiple entry visas permit the period of stay for up to 30 days. (Maximum period of stay for Schengen visa (C type) is 90 days, exclusively visas of D type permit longer period of stay, they are national visas for employment, education or other purposes).

In July multiple entry visas with relatively longer validity were more frequently available at the Consulates of “Old Schengen” states – about 17% of such visas are issued for a period of 3-6 months, about 14% - for a period over 6 months. At the same time about $\frac{1}{4}$ of multiple entry visas are issued for a period up to 1 month by “Old Schengen” States (Diagram 11). In November the overall situation deteriorated in this group of states in favor of shorter duration of average visas (Diagram 11a).

Diagram 11. Duration of multiple-entry visa validity (days) in “Old Schengen” Consulates (%) - July 2008

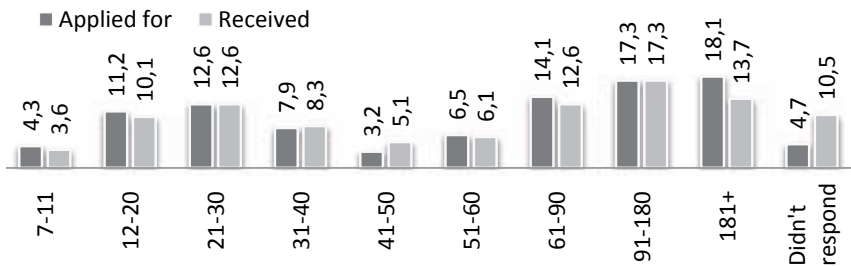
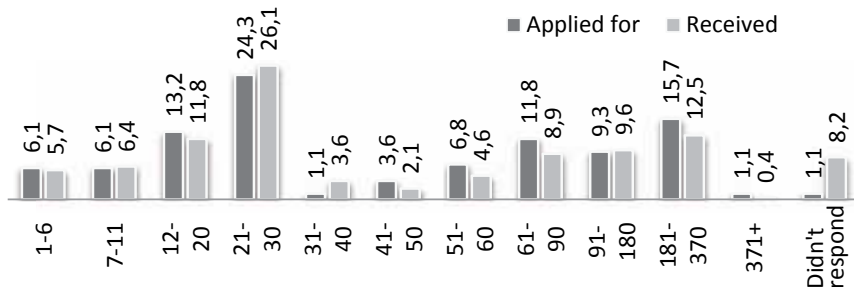


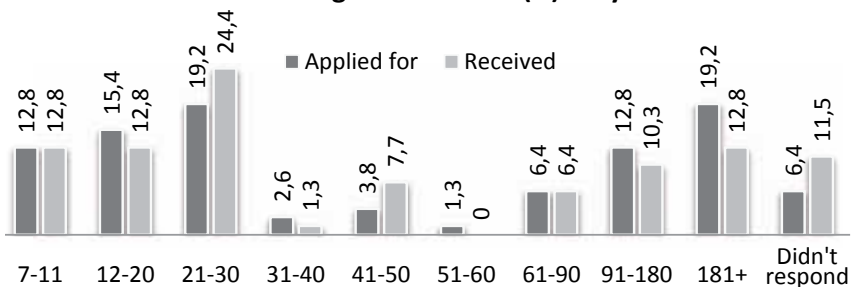
Diagram 11a. Duration of multiple-entry visa validity (days) in “Old Schengen” Consulates (%) - November 2008



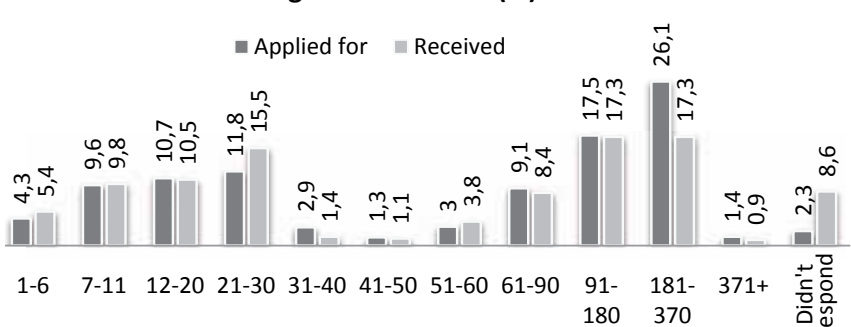
In the countries of “New Schengen” only 10 (July) -17% (November) of all multiple entry visas are valid for 3-6 months and only 13-17% - for more than 6 months. At the same time about 50% (July) – 40% (November) of all multiple entry visas issued by “New Schengen” States are valid for less than 1 month (Diagrams 12, 12a).

The difference between the number of applications for multiple entry visas and the number of issued visas is bigger in “New Schengen” States than in the Consulates of “Old Schengen” (Diagrams 13, 13a and 14, 14a). At the same time out of general number of issued visas the share of multiple entry visas is bigger in the countries of “New Schengen” (more than 38% comparing to 23,5% of the respondents in July and 41,8% comparing to 31,8% in November).

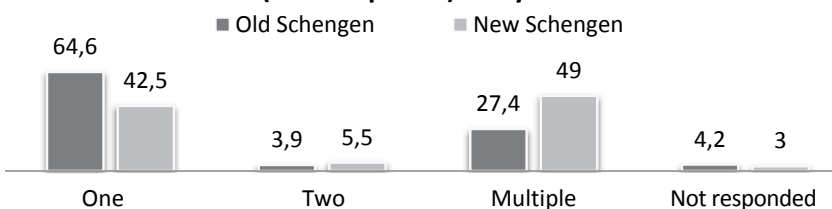
**Diagram 12. Duration of multiple-entry visa validity (days)
in "New Schengen" Consulates (%) - July 2008**



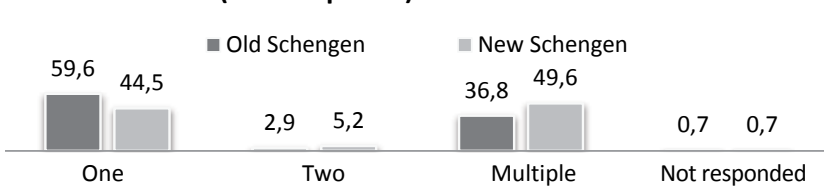
**Diagram 12a. Duration of multiple-entry visa validity (days)
in "New Schengen" Consulates (%) - November 2008**



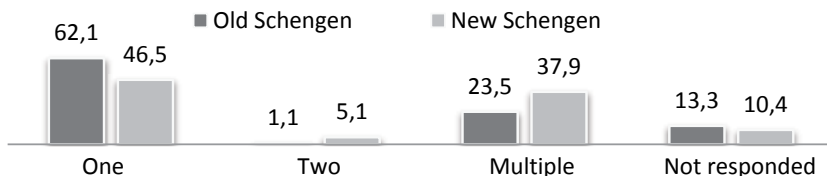
**Diagram 13. Which number of entries you applied for?
(% of all polled) - July 2008**



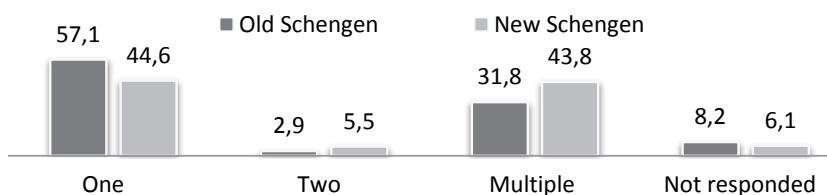
**Diagram 13a. Which number of entries you applied for?
(% of all polled) - November 2008**



**Diagram 14. Which number of entries you received
(% of all polled) - July 2008**



**Diagram 14a. Which number of entries you received?
(% of all polled) - November 2008**



Multiple entry visas with substantially long validity term (more than 6 months) make up absolute minority – from 13% of the respondents surveyed during the first stage of the research to 15% during the second stage. This indicator is stable for “Old Schengen” countries, while the indicators of “New Schengen” states slightly progressed – from 13% in July to 17% in November.

Thus, total number of long term visas has increased, though this process is rather slow: in July every seventh multiple entry visa and in November every sixth multiple entry visa is valid for more than 6 months.

Such situation leads to conclusions that **regardless rather high number of multiple entry visas (about 30% of the respondents surveyed in July and about 39% of respondents surveyed in November), this instrument does not fully perform its functions, as a great share of multiple entry visas are valid for a short period of time (up to 3 or even 1 month) and that is why practical value of such visas in most cases is minimal.**

As only a small number of applicants visit EU countries more than once in a month, such multiple entry visas are used only one time. The only category of citizens, who are able to make use of such visas valid for 1-3 months, includes people who are into border trade.

Such situation demonstrated different interpretations of the Agreement, when Ukrainian party insists on and expects issuance of a great number of visas valid for one, three and five years, while EU literally interprets the terms “up to one year” or “up to three years” – in most cases “up to one year” does not mean a “year” but one, three or six months at most. Such different interpretations are to become the subject for discussion for Joint Expert Committee established by VFA and parties should make all the efforts in order to find common interpretation of this provision of the Agreement.

Smaller number of long term visas issued by “New Schengen” states may be explained by the practice when after Schengen zone accession these countries in most cases do not take into account previous visa record of the applicants. For example, previous (national) visas to Poland, Hungary and other new Schengen states, valid for one year, does not entitle the applicant to obtain Schengen visas issued by these countries with the validity of one year. In most cases people who received long term national visas of these countries before, obtained visas valid for 1-3 months or even single entry visas.

In such cases Consular establishments apply the practice of “tabula rasa”, considering that the first multiple entry Schengen visa should not exceed the validity of 1-3 months, regardless the fact that the applicants had previously made regular trips with a national visa.

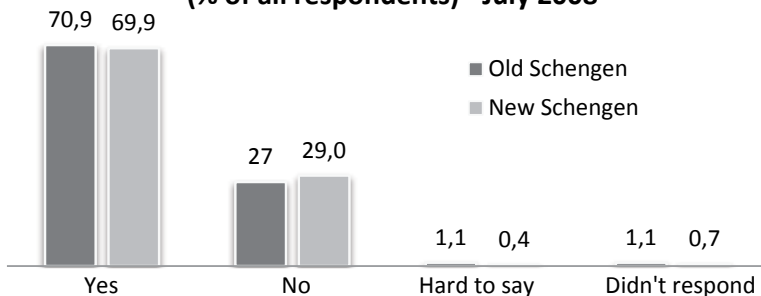
A certain improvement of the situation was caused by the fact that a number of the applicants interested in regular trips abroad, have made use of their short term visas and thus obtain better chances to obtain visas valid for 6-12 and even more months.

Visa procedure cost

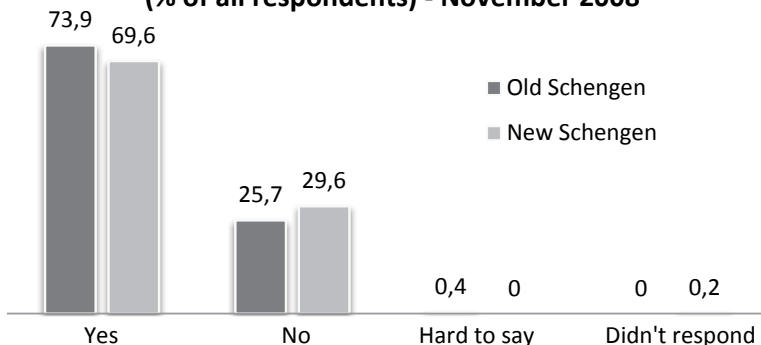
The absolute majority of applicants to both groups of Schengen States had to pay consular fees. At the same time a big number of applicants received free of charge visas.

Comparison of the data obtained during both stages of the research did not reveal substantial difference in indicators – the number of free of charge visas is stable and ranks between **26 and 30%** (Diagrams 15, 15a).

**Diagram 15. Have you paid for visa?
(% of all respondents) - July 2008**



**Diagram 15a. Have you paid for visa?
(% of all respondents) - November 2008**



According to the results of the research held in July about 70% of the respondents of “Old” and “New” Schengen states had to pay for visas. The results of the research held in November are similar - 73,9% of the applicants to “Old Schengen” and 69,9%

to “New Schengen” states paid consular fee and/or other fees. Thus this indicator is not significantly different for consulates of “Old” and “New” Schengen as well as between the first and second stage of the research.

At the same time real expenditures of applicants are often bigger than consular fee (which is limited by 35 Euro according to VFA) due to at least two reasons.

First of all, in many doubtful cases concerning identification of applicants with relevant preferential category the decision is made not to the benefit of the applicant. The applicants are not always informed that due to their age, profession or other reason they are not obliged to pay visa fees – such cases are detected more frequently in the “Old Schengen” states.

Diagram 16. Payment to intermediaries (Visa centres), Euro (% of all polled) - July 2008

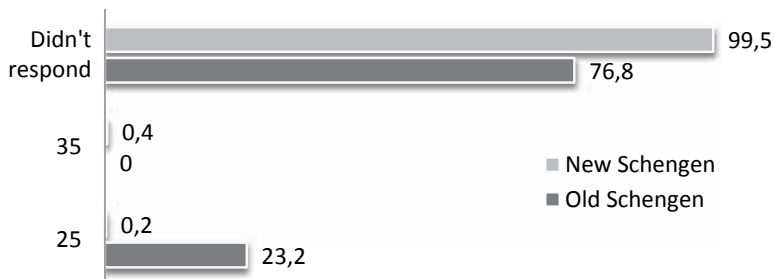
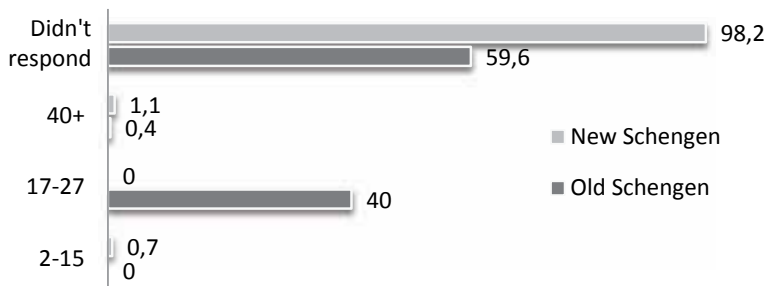


Diagram 16a. Payment to intermediaries (Visa centres), Euro(% of all polled) - November 2008



Secondly, about half of Consular establishments of “Old Schengen” states use the practice of paid intermediary visa services, i.e. of Visa centers, and in most cases such practice can not be avoided.

The first stage of the research showed that about one fourth of the applicants to “Old Schengen” pays additional 25 Euro (Diagram 16).

According to the results of the second stage of the research 40,4% of applicants to “Old Schengen” have paid additional fees, apart from visa fee, to intermediaries (Visa centers) for submission and procession of the documents. Thus the number of persons who have to pay additional amounts, apart from visa fee, increased. (Diagram 16a).

Consulates of “New Schengen” states currently do not apply the intermediary services of visa centers. As a result total expenses for the majority of the applicants (52,7%) was limited to 35 Euro, while 16,7% had to pay more, in the most cases – using more expensive fast track procedure or consultancy by their own initiative.

It should be mentioned that responding to the question concerning expenses, the large group of respondents refused to answer this question or could not state the exact amount.

The activities of visa centers repeatedly turned the attention of mass media and has become the subject of professional analysis: *“Expansion and Modernization of the Schengen: Consequences and Perspectives for Ukraine”* (CPCFPU, 2008). Without coming back to the subject of visa centers in the broad sense, we would like to mention that such centers not only collect extra fees for their services but also not always inform the applicants who fall under privileged categories about the possibility to receive free of charge visa without consular fees. As a result **the share of free of charge visas**

of the EU Member States which use Visa center services (Italy, Spain, Belgium) is rather lower than relevant general number (Diagrams 17, 17a).

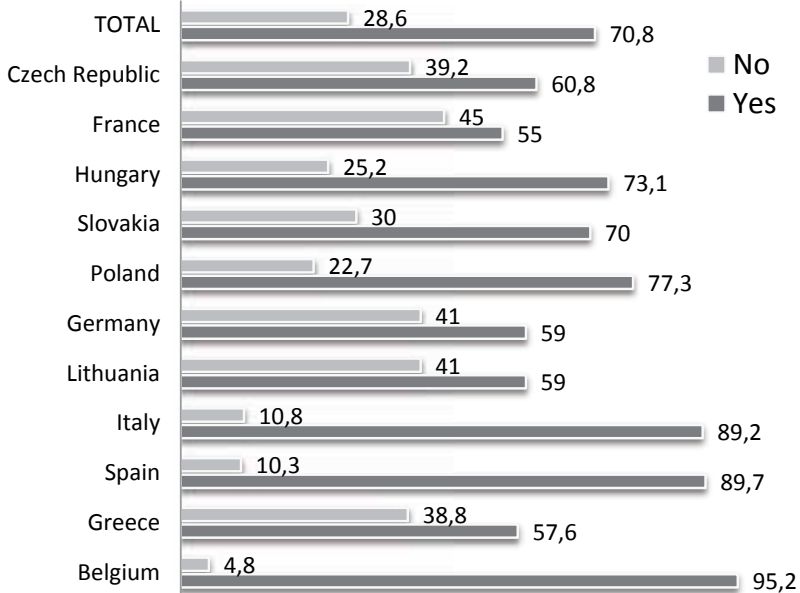
Thus total expenses of the applicants are mostly spent on visa procedure stage in terms of getting information (quite often the applicants pay extra fees for the consultation), document preparation (filling out the application form, translation and authorization of the documents), and payment for obligatory documents, such as insurance, etc.

There is a clear tendency: the more drawbacks exist in the organization of Consulate activities (complexity of the procedure, nontransparency), the more expenses the applicant has to cover in terms of visa application and consequently a rather developed infrastructure of intermediary commercial services provided near the Consulates has appeared.

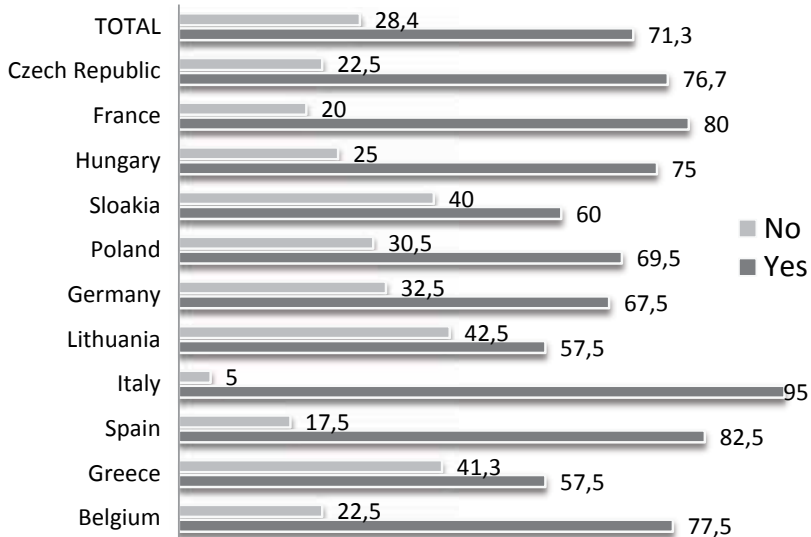
Generally providers of intermediary services fall under several categories: private persons whose friends or relatives work at the Consulates, representatives of Visa centers and tour agencies.

A large number of “assistants” who offer their services not only for preparation of the documents but receiving visas for a certain amount as well, testifies to the fact that shadow market of visa services functions in Ukraine. According to the magazine “Vlast Deneg” the flow of visa shadow market reaches 1 billion dollars per year. Internet advertisements and announcements near the consulates on the possibilities to obtain visas for a certain payment without visiting consulates indirectly attest the existence of such market. Thus, complicated visa procedure does not always serve as a barrier for gatecrashers in terms of getting into their destination country.

**Diagram 17. Have you paid for a visa ?
(% of all respondents) - July 2008**



**Diagram 17a. Have you paid for a visa ?
(% of all respondents) - November 2008**



Documents, complexity of the procedure and treatment towards the applicants

Most frequently Consular establishments of both groups of Schengen States require the following documents: apart from main documents (official invitation, photo, and visa application), confirmation of funds for transportation and accommodation as well as residence registration.

According to the results of the first stage of the research more than half of the respondents evaluated the process of submitting the documents as a “very easy” and “rather easy” stage of visa application procedure (Diagram 18). Such evaluation is also relevant for the procedure of obtaining a visa.

During the second stage of the research the bigger part of the respondents of both Schengen groups stated that documents submission and visa collection was an easy procedure. (Diagram 18a).

It should be mentioned that these evaluations include hidden problem: expectations of Ukrainian applicants in terms of visa application are rather low, quite often they are based on the feeling of second rate, formed due to the habits and stereotypes, not clear criteria for obtaining a visa, fear to be refused a visa. Besides, about half of the applicants to both groups of Schengen states have not previously applied to the Consulates and that is why they do not have enough experience in visa procedure peculiarities and complexity.

The question of treatment is traditionally rather important and sensitive for the applicants: according to previous studies of CPCFPU in cooperation with Stefan Batory Foundation held in 2005-2006, respondents named treatment among the factors affecting visa procedure complications. Under the notion “treatment” we understand the readiness of consulate officers to communicate with the applicants observing their rights and decency.

Diagram 18. Assessment of difficulty of application submission (% of all respondents) - July 2008

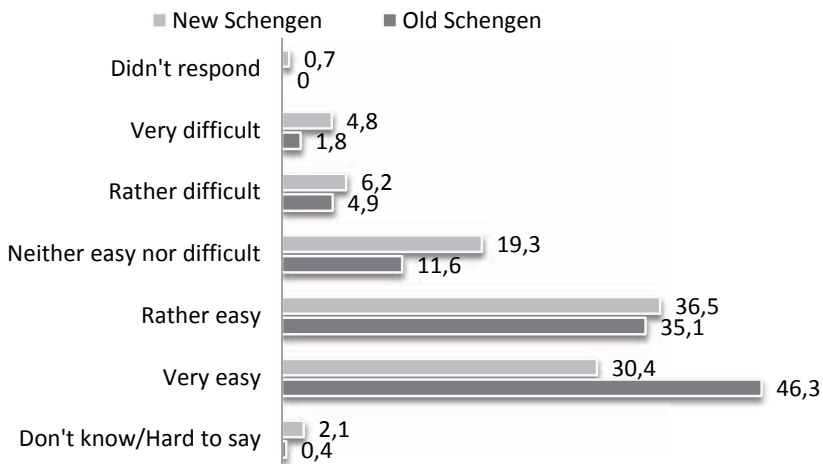
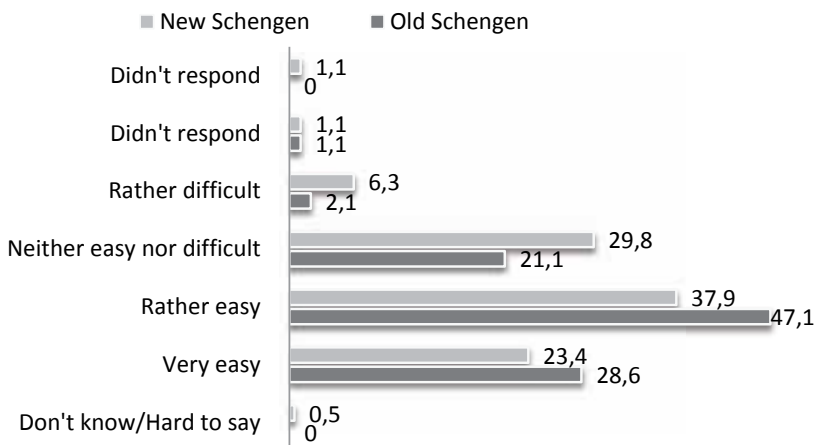


Diagram 18. Assessment of difficulty of application submission (% of all respondents) - July 2008

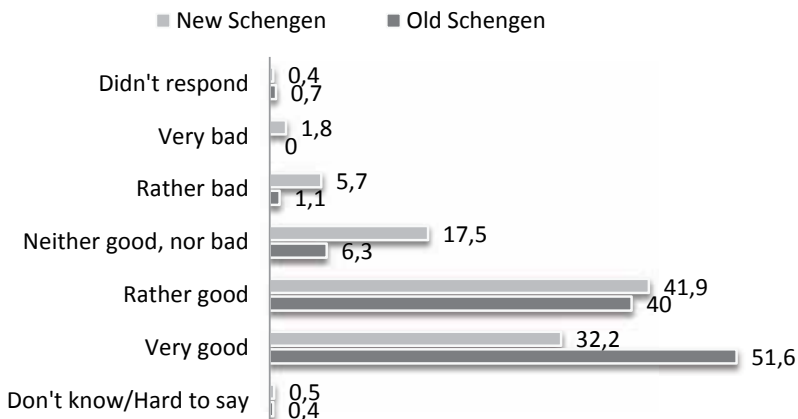


According to the results of both stages of present study only minor number of respondents noted rude treatment, while majority of the applicants stated that the treatment was “very polite” or “rather polite” (Diagram 19).

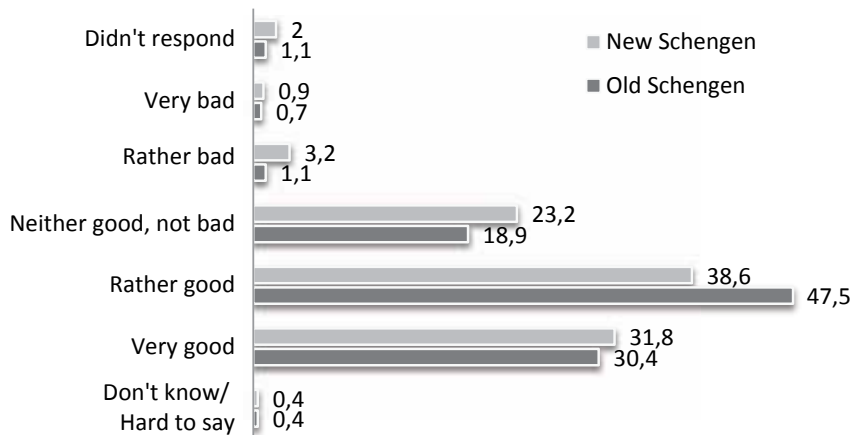
It should be mentioned that negative or positive evaluations differed according to the consulates. For example, most negative

evaluations were expressed by the applicants to consulates of Czech Republic and France.

**Diagram 19. Treatment towards applicants at the submission
(% of all respondents) - July 2008**



**Diagram 19a. Treatment towards applicants
at the submission (% of all respondents) - November 2008**



Taking into account mostly rather low communication culture of our state officials while addressing citizens, we shall dare to suppose that high evaluation given by the respondents in terms of the treatment towards the clients on behalf of consulates and visa center's staff is caused by comparison of communication atmosphere with relevant atmosphere in national bureaucratic

structures. It is not surprising that such comparison in most cases will not be in favor of state officials and such situation causes exaggerated evaluations of treatment in Consular establishments. Majority of Ukrainian citizens have no experience of communication with officials who are bearers of European communication culture, thus they have nothing to compare with.

Besides, it is important to take into account the factor of positive perception of visa collection (respondents were surveyed at the exit of consulates after they had collected the passport with the decision) and in many cases it may level negative impressions of the previous visit.

Evaluation of changes in visa procedure

Organizers of the research asked the question concerning changes in the procedure of receiving visas over the year of 2008 taking into account two main factors of impact: the EU-Ukraine VFA entering into force since January 1st, 2008 and expansion of the Schengen zone since December 21st, 2007.

Only those citizens who had previous experience in terms of visa application and who could evaluate recent changes in visa practice of EU countries were able to provide answers to the questions concerning the duration of visa procedure, visa costs, requirements of necessary documents and their list, the risk of visa refusal, etc.

The answers given by the “experienced” category of the respondents surveyed in July reveal obvious tendency: majority of the applicants to “New Schengen” States note “significant worsening” or “worsening”. In particular, 52% noted worsening in terms of visa procedure duration while 31% of applicants to “Old Schengen” state improvement in visa procedure duration,

and 37% did not observe any changes in this regard (Diagram 20). The data of November stage of the research show certain improvement of the situation in terms of procedure duration: 33,9% of applicants to “New Schengen” stated that the situation had not changed while only 18,4% of the respondents stated significant worsening. In the case of applicants to “Old Schengen” indicators demonstrate positive dynamics, in particular 45,5% of applicants claimed certain improvement and consequently shortening of visa procedure duration (Diagram 20a).

Diagram 20. Duration of procedure, % - July 2008

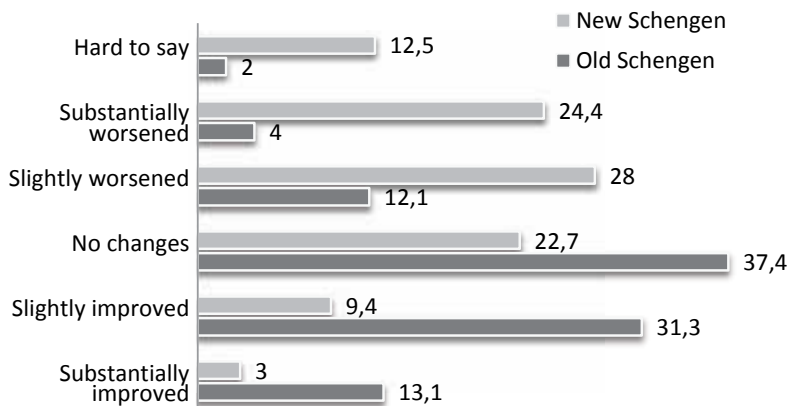
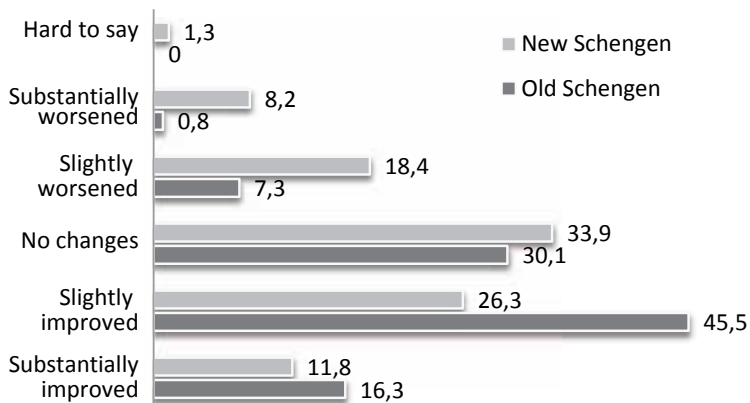


Diagram 20a. Duration of procedure - November 2008



Evaluating visa procedure cost, 28,5% of applicants to “New Schengen” states surveyed in July noted significant worsening of the situation, while almost 40% of applicants to “Old Schengen” consulates stated that they had not experienced any significant changes (Diagram 21).

In November almost the same number of respondents to both groups of Schengen states were inclined to believe that no changes were observed in visa services cost, however the number of those who stated that the situation in “New Schengen” states had slightly worsened increased by 2% comparing to the first stage (Diagram 21a).

Diagram 21. Cost of visa procedure, % - July 2008

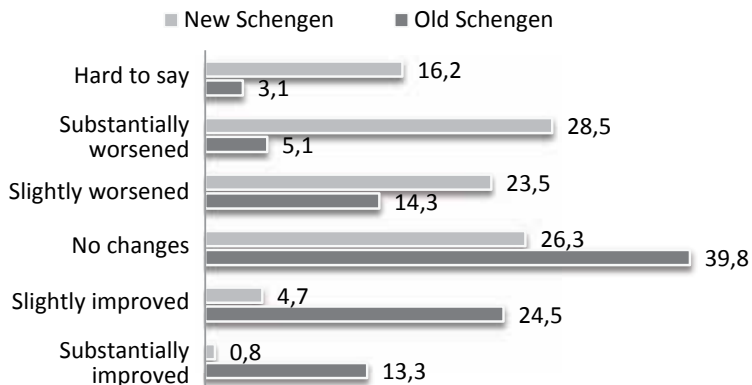
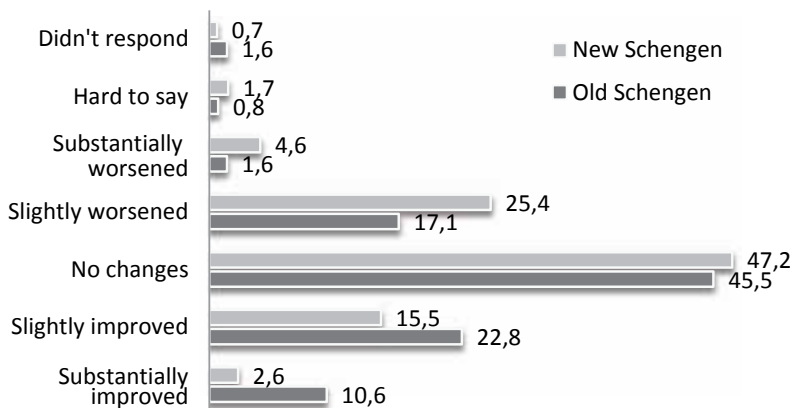
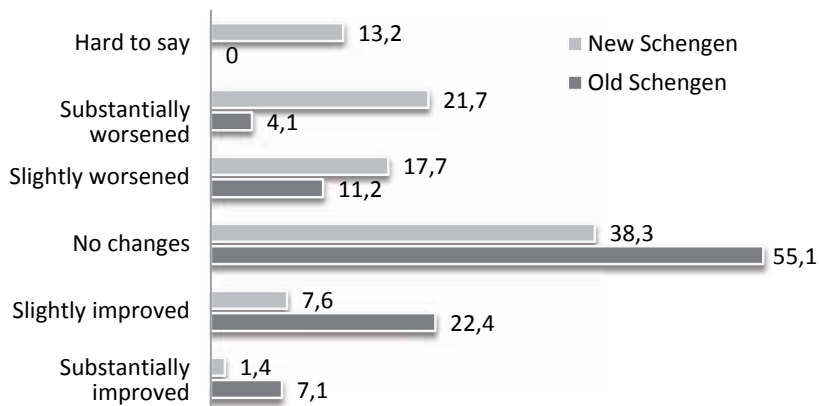


Diagram 21a. Cost of visa procedure, % - November 2008



As to clarity of visa criteria and requirements, 55% applicants to “Old Schengen” states that nothing has changed, while 22% of applicants to “New Schengen” states note significant worsening (Diagram 22).

Diagram 22. Clarity of requirements and criteria, % - July 2008



Evaluating the changes in the queues during the first stage of the research 28% of the “Old Schengen” respondents stated that the situation had improved, and almost half of the respondents said that nothing had changed, while 27% of applicants to “New Schengen” stated significant worsening of the situation (Diagram 23).

According to the data of the second stage of the research 30% of applicants to both groups of Schengen states claimed the lack of changes in queues issue. About the same number of applicants to “Old Schengen” Consulates - 33,3% stated improvement of the situation in terms of queues at every stage of visa procedure.

The results of the second stage of the research show certain improvement of the queue issue in the case of “New Schengen” Consulates, where 31% of applicants stated certain improvement, while only 8% of the respondents comparing to 27% in terms of the first research stage complained about substantial worsening of the queue issue. Regardless certain leveling of indicators in both

groups of Schengen states, we should mention that the number of applicants who faced worsening of queue issue is bigger in “New Schengen” States – 21%. (Diagram 23a).

Diagram 23. Queues, % - July 2008

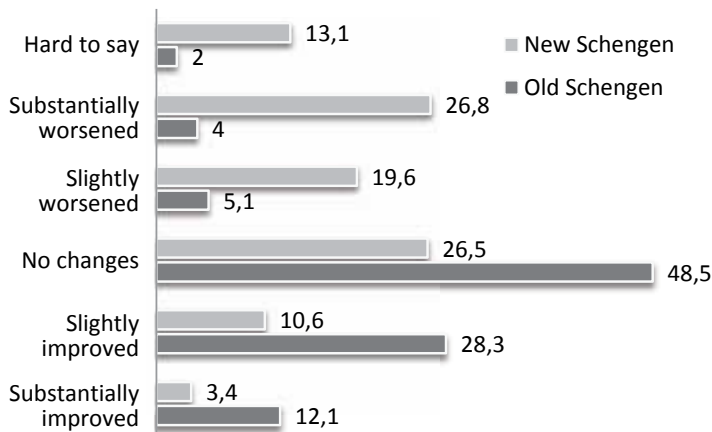
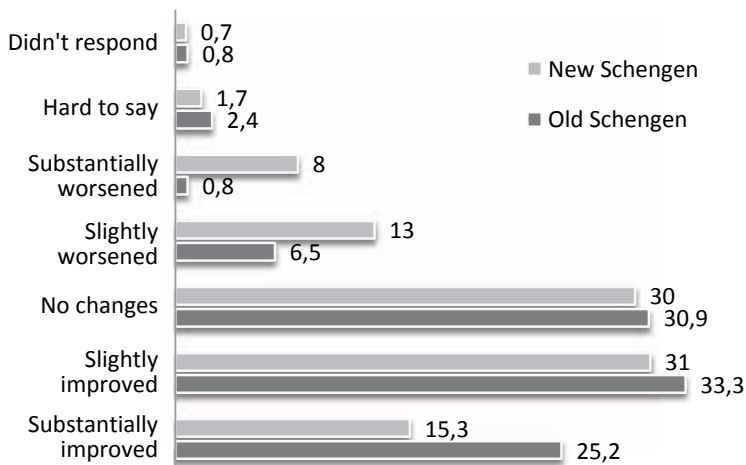


Diagram 23a. Queues, % - November 2007



The situation concerning requirements for the documents revealed during the first stage of the research is rather illustrative: 31% of applicants to “New Schengen” countries note “significant worsening”, while 52% of applicants to “Old Schengen” countries state that the situation has not changed (Diagram 24).

On the contrary the results of the second stage of the research reveal decrease by 23,4% in the number of applicants to “New Schengen” who state substantial worsening of the situation concerning the documents. Almost half of the applicants to both groups of Schengen states do not observe the difference in the number and complexity of required documents (Diagram 24a).

Diagram 24. Requirements to application documents (their number and the content), % - July 2008

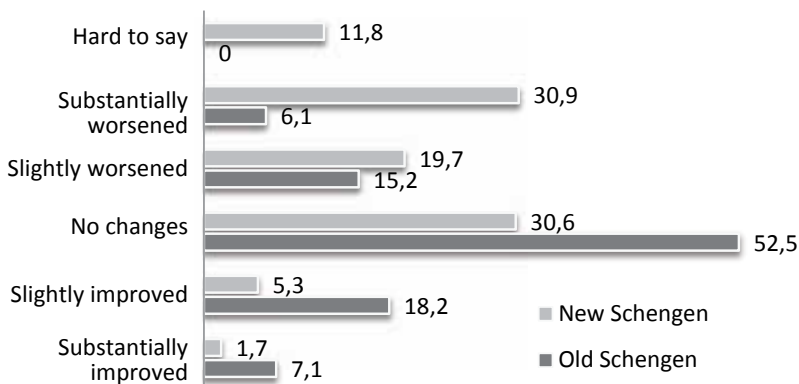
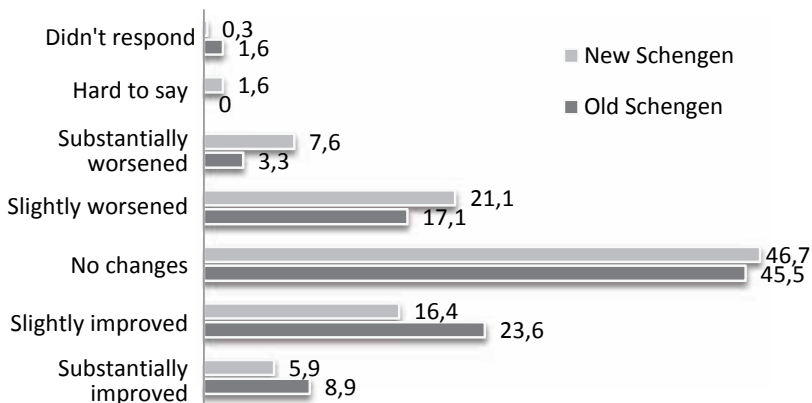


Diagram 24a. Requirements to application documents (their number and the content), % - November 2008



The “worsening” tendency is observed in visa refusal risks (Diagram 25): during the first stage of the research almost one

third of citizens – applicants to “New Schengen” states notice significant degradation, while applicants to “Old Schengen” States claim that they have not experienced any changes (43%) or notice improvement (15%).

Diagram 25. Risk to get a refusal, % - July 2008

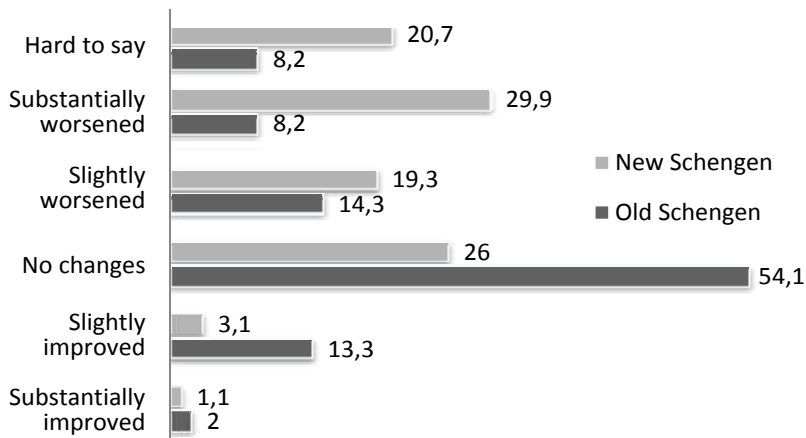
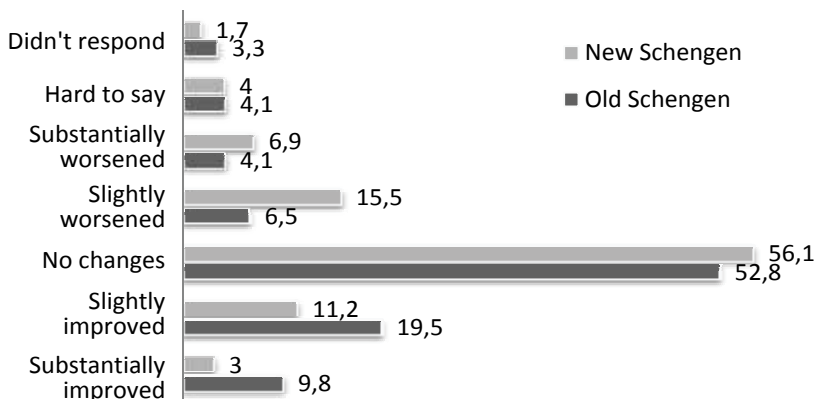


Diagram 25a. Risk to get a refusal, % - November 2008



The results of the survey held in November show positive dynamics in refusal numbers, in particular 19,5% of applicants to “Old Schengen” states confirm this fact. About the same number of applicants to “Old Schengen” - 15,5% give opposite evaluations of refusal risks, claiming certain worsening. Nevertheless the

majority of applicants to both Schengen groups consider lack of changes in this issue.

Answering the question concerning availability of multiple entry and long term visas during the first stage of the research the majority of the “New Schengen” applicants detects more complicated conditions to get long term and multiple entry visas in comparison to previous years. At the same time, for the “Old Schengen” applicants the situation either remained unchanged or improved (Diagram 26).

Diagram 26. Availability of long term/multiple-entry visas, % - July 2008

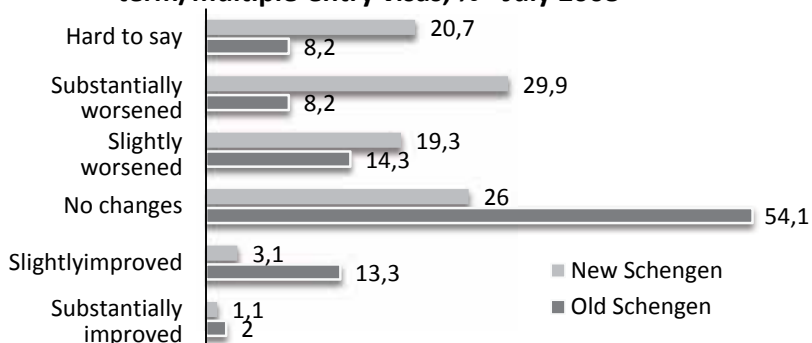
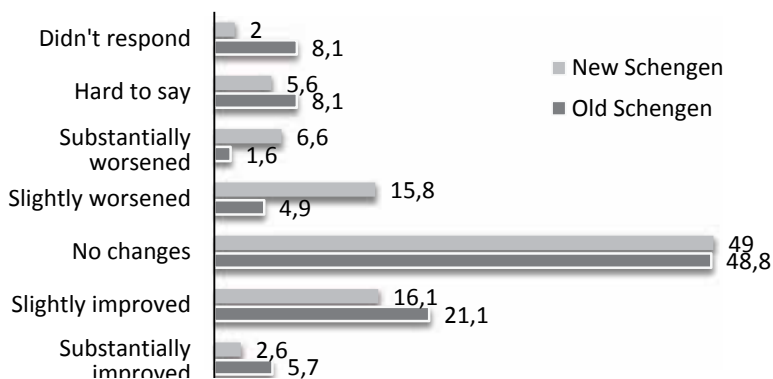


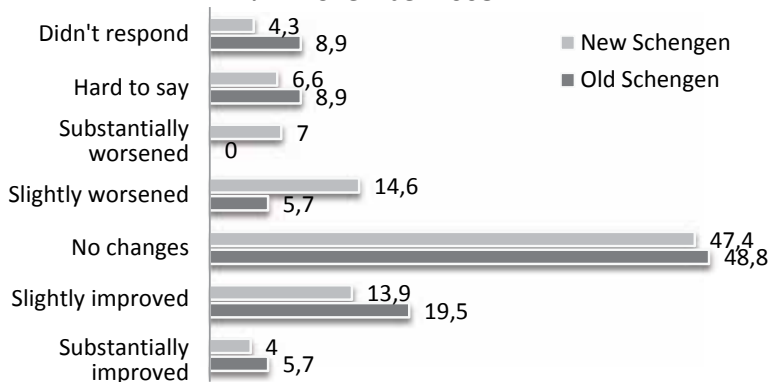
Diagram 26a. Availability of long term visas, % - November 2008



This situation proved to be different in November: about half of the respondents in all Schengen Consulates stated that no changes have appeared and only 21% of applicants to “Old Schengen”

noted slight improvement of the situation. The opinions of “New Schengen” applicants concerning visa availability were divided: 16% see certain improvement, while 15,8% of applicants state slight worsening (Diagram 26a).

**Diagram 26b. Availability of multiple-entry visas,
% - November 2008**



In general more than half of the respondents see the lack of significant changes.

Thus, in terms of changes over the last year, the respondents surveyed at the consulates of “New Schengen” during the first stage state the deterioration according to all parameters of visa procedure while applicants to “Old Schengen” states note either lack of significant changes or detect the changes for the better.

At the same time the second stage of the research revealed gradual leveling of the situation, improvement of the procedure in “New Schengen” consulates at least to the level before their accession into Schengen zone.

In general the fact that critical perception of visa procedure expressed by “New Schengen” applicants in July was softer in November testifies that consulates of these states took some measures aimed at minimizing negative outcomes of Schengen accession.

Agreement on the Facilitation of the Issuance of Visas (VFA) entered into force on January 1st, 2008. The research included the task to find out the awareness level of Ukrainian citizens on this issue. According to the data obtained during the first stage of the research about 60% of the respondents are familiar with (or at least heard of) the Agreement (Diagram 27).

Diagram 27. Do you know about the EU-Ukraine Visa Facilitation Agreement (VFA) entered into force since 01.01.2008?, % - July 2008

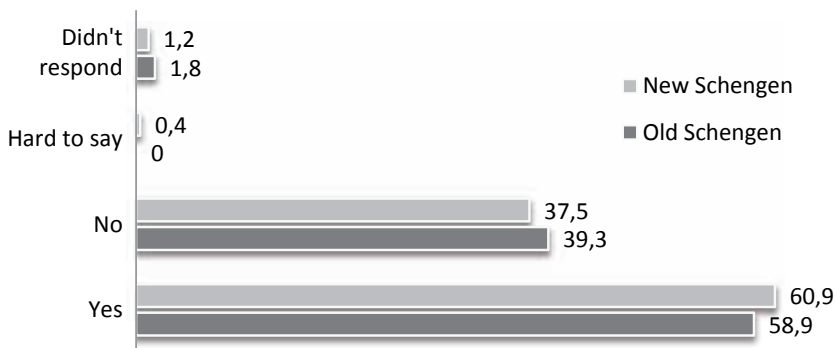
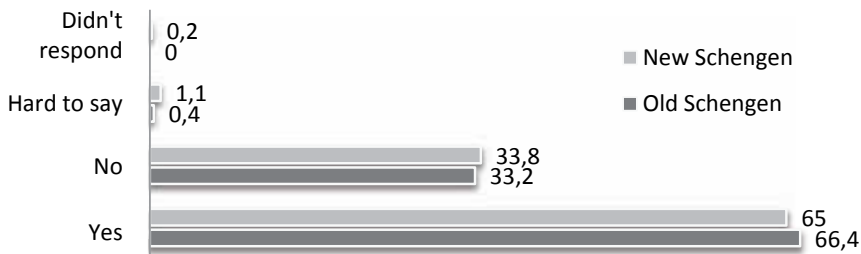


Diagram 27a. Do you know about the EU-Ukraine Visa Facilitation Agreement (VFA) entered into force since 01.01.2008?, % - November 2008



The second stage of the research indicated increase in the number of Ukrainian citizens who are aware about VFA; in particular more than 60% of the respondents in both Schengen groups gave such response. However, in visa application process the attempt of practical application of the Agreement is more

important than awareness about its content (Diagram 27a).

Thus according to the results of the first stage of the research only every fifth (out of total number of respondents) has tried to apply its provisions. This number is rather low if we take into account that only absolute minority of the respondents (about 22% in July) do not identify themselves with any of the preferential categories defined by Articles 4, 5 and 6 of the Agreement. Applicants to countries of “Old Schengen” prevail (in the ratio approximately 3 to 1) among those who consider having successfully used some provisions of the Agreement (Diagram 28).

Diagram 28. Did you try to apply VFA to ease visa procedure or to obtain long-term/ multiple-entry/ free of charge visa? (% of all polled) - July 2008

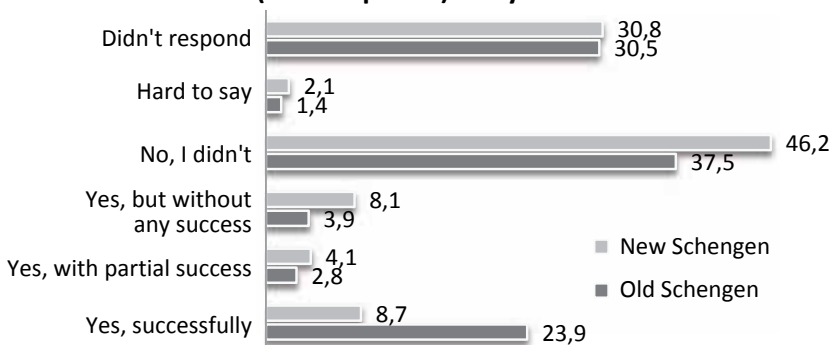
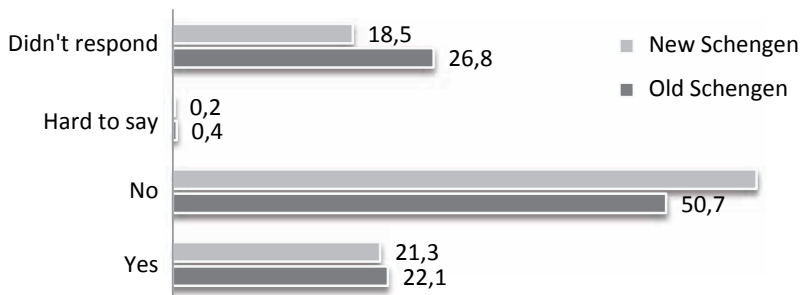


Diagram 28a. Have you referred to VFA when communicating with Consulate's official ?, (% of all polled) - November 2008



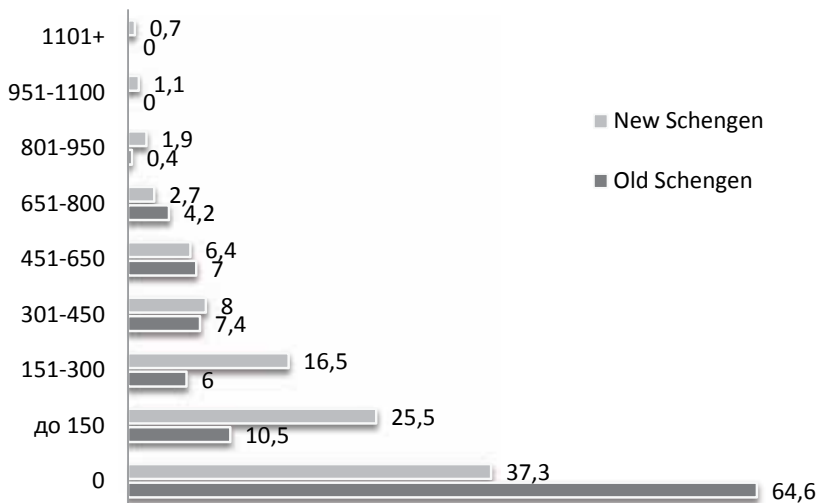
The results obtained in November did not differ to a great extent: 50,7% of applicants to “Old Schengen” Consulates and

60% of applicants to “New Schengen” Consulates did not refer to this document (Diagram 28a).

Distances to consulates

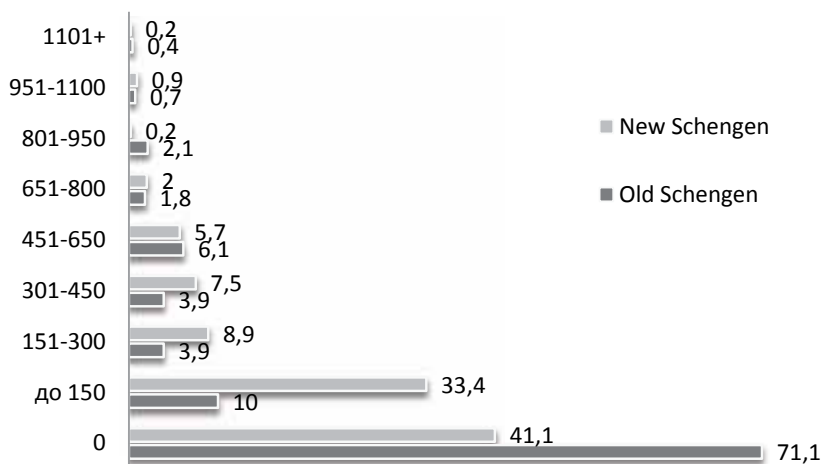
The research revealed that currently the problem of distances in order to receive visa has not been solved as many of Schengen members have only one Consulate (Consular Section, Visa section of the Embassy etc.) located in Kyiv. In this regard almost half of “New Schengen” states (Poland, Hungary, Czech Republic, and Slovakia) have significant advantages as their consulates are located in regional centers of Ukraine as well as in the capital city. Among “Old Schengen” States only Greece has consulates outside Kyiv (Odesa and Mariupol). At the same time total distance for applicants to “New Schengen” states is bigger than the same indicator for “old Schengen” States. Such paradox can be rather easily explained (and it was revealed during the research) by the fact that **absolute**

Diagram 29. How far from Consulate (Visa Centre) do You live? (0 km if the person is local), % - July 2008



majority of Ukrainian citizens travelling to Western European countries (about two thirds!) is constituted by the residents of Kyiv (such situation is caused by current social disproportions), while those who travel to countries of Central and Eastern Europe are regional residents, primarily of the regions bordering on EU, including medium and small towns and even rural localities where there are no consular establishments (Diagram 29). November stage of the research revealed that the share of basic city residents among applicants to “Old Schengen” increased, reaching 71% (Diagram 29a).

Diagram 29a. How far from Consulate (Visa Centre) do You live? (0 km if the person is local), % - November 2008



Personal data of the respondents.

During the first stage of the research among the applicants to “Old Schengen” states 62,8% of females and 36,1% of males were surveyed while almost equal balance between males (48,8%) and females (50,6%) was detected in questioning the applicants to “New Schengen” states (Diagram 30). The second stage of the research shown no substantial disproportion in terms of gender balance: in both groups of Schengen states 44,5% of females and 55,5% of males were surveyed.(Diagram 30a).

Diagram 30. Sex of respondents, % - July 2008

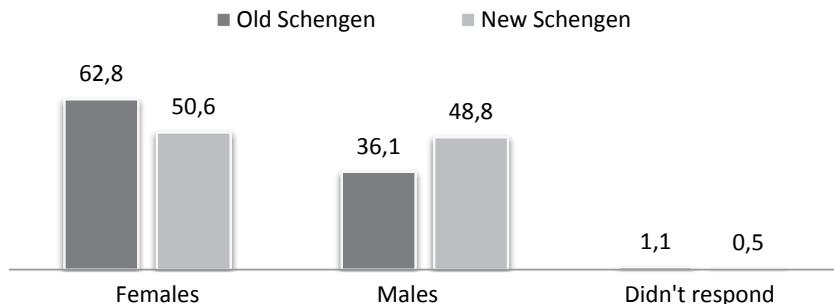
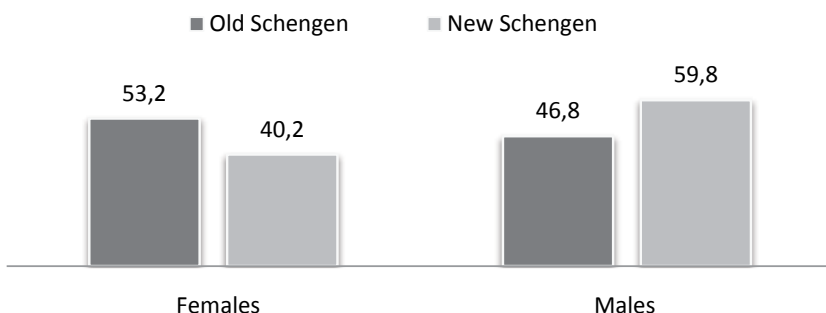


Diagram 30a. Sex of respondents, % - November 2008



Absolute majority of the respondents graduated from the university, i.e. applicants to consulates of both EU country groups constitute the most qualified part of Ukrainian society. It should be mentioned that in the group of applicants to “old Schengen” States citizens with higher education prevail – 75,4% and only 22,5% are the citizens with secondary education. The structure of citizens applying to countries of “New Schengen” still includes big share of applicants with higher education – 57,2%, though the share of visitors with secondary education level is significantly higher (37,3%) in comparison with similar indicators of “Old Schengen” states (Diagrams 31, 31a).

According to the first stage research results the biggest group of applicants to both groups of the countries includes young people: almost half (43,9%) of applicants to consulates of “Old Schengen” states are the citizens aged 18-29, and 37,3% of applicants to “New

Schengen” states also fall into this category. Almost equal number of applicants – 23,7% to “New Schengen” and 23,2% to “Old Schengen” states represents age group of 30-39 (Diagram 32).

Diagram 31. Education of respondents, % - July 2008

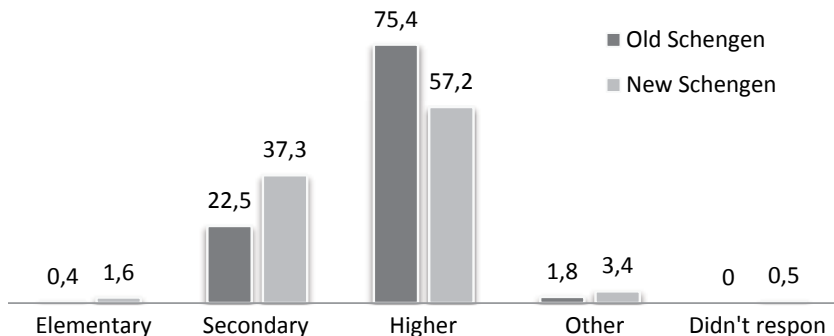
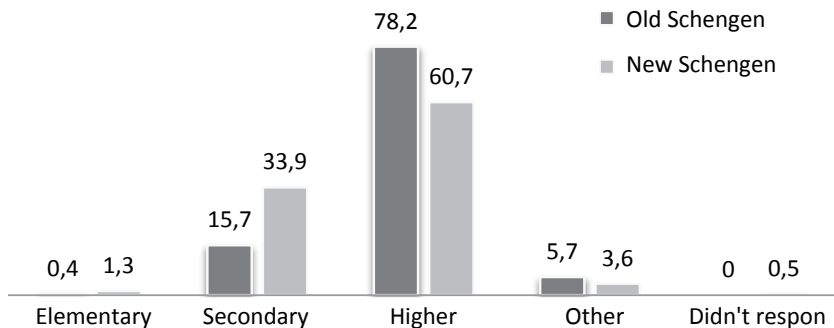


Diagram 31a. Education of respondents, % - November 2008



Similar situation is noticed during the second stage of the research as the biggest number of the respondents in both groups of Schengen states – more than 30% includes young people aged 18 and more, while citizens aged up to 60 comprise a little more than 6% (Diagram 32a)

These data demonstrate that **youth significantly prevails in the structure of those who travel to the EU Member States.**

Employment and occupation indicators in both groups of Schengen

states show that 71,6% of applicants to Consulates of “Old Schengen” and 69,9% of applicants to “New Schengen” are currently employed in their country of residence and it is one of the factors testifying to existence of strong ties with the country of their citizenship and making them interested in returning to their home country on time. The data of the second stage of the research attest indicators received during the first stage: the majority of applicants are employed and have graduated from the universities (Diagram 32, 32a).

Diagram 32. Age of respondents, % - July 2008

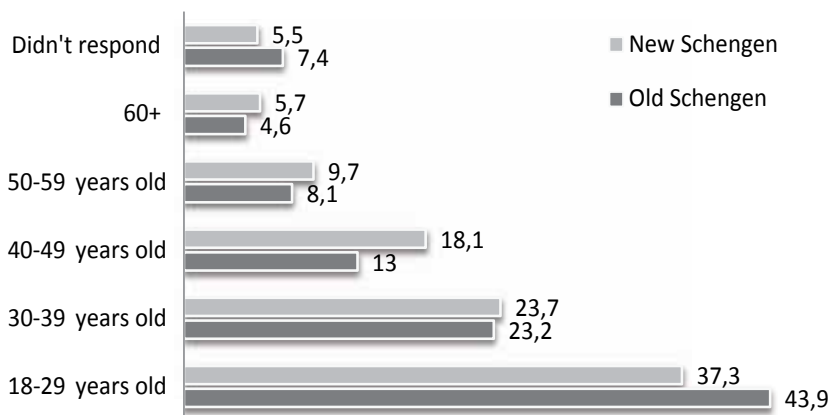
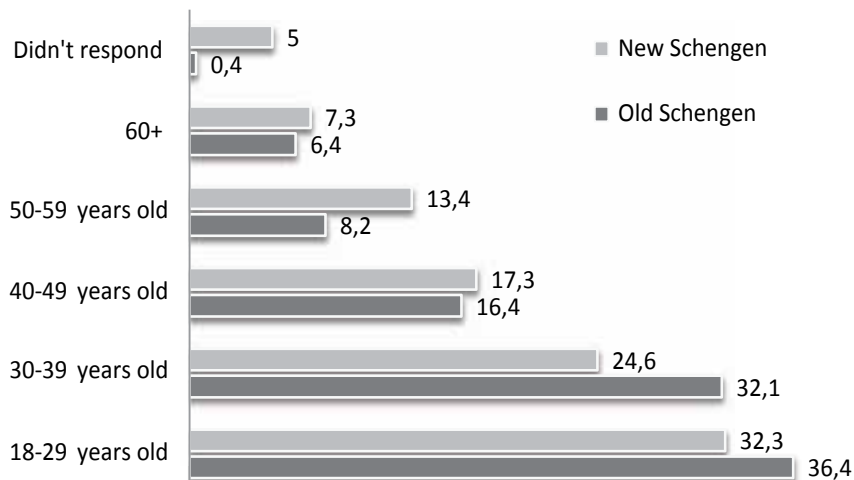


Diagram 32a. Age of respondents, % - November 2008



Occupation

In terms of their occupation the majority of Ukrainian applicants belong to the most active and initiative part of Ukrainian society – business people. According to the results more than 10% of the respondents refer themselves to the categories of “businessmen” or “entrepreneurs”. The category “worker” comprises 10% of the responses. It should be mentioned that the notion of “business” and “businessmen” are somewhat obscure and indistinct in the perception of Ukrainian society: this category can include all those people who have some properties, who employ workers and perform certain activities in the sphere of trade, services, sometimes - production. In the case of “workers” we speak about people who are united in terms of physical labor and quite often secretly search for employment abroad.

The other most numerous categories of applicants to EU Consulates include university teachers, drivers, managers and students.

REFLECTIONS ON EU VISA POLICY IN UKRAINIAN MASS MEDIA

Mass media comprise substantial source of informing the public on all major issues, in particular about visa deals between Ukraine and the European Union. Formation of relevant public opinion primarily depends on the media rather than on politicians and diplomats.

News on visa policy connected to the term “Schengen” make the top and most popular news which are followed and presented by representatives of different mass media actors on a regular basis. Traditionally high interest of media in this issue is determined both by increasing public demands and personal (corporate) interest of journalists who rightfully belong to the most concerned and mobile categories of population that naturally aspires the freedom of movement.

Business, scientific and cultural exchanges, sport, visiting relatives, tourism – this is only a short list of reasons for traveling and making contacts which in one way or another benefit to organic integration and interaction between people in the context of European values.

One of the main features of covering visa issues in Ukrainian mass media is a certain emotional approach in forming the attitude of the citizens towards a certain country and its “friendly” or “unfriendly” policy which is performed via visa procedure of relevant consulates.

Natural evidence of active position of mass media is their wish to protect the interests of Ukrainian applicants who were discriminated or insulted in one way or another due to the imperfect, unfair visa practices. In this case media criticism is aimed not only at consular establishments of EU Member

States but at the Ukrainian government as well as it does not efficiently protect the interests of its own citizens.

In the most cases while covering different aspects of visa relations between Ukraine and the European Union, media speakers and writers focus their attention on the most sensitive issues which are important for potential applicants, in particular: complications and burden of visa procedure; negative outcomes of Schengen Zone expansion; cases of violation the rights of the applicants and humiliation of their dignity by the Consular staff etc.

At the same time only a small number of publications contain a proper analysis concerning changes in EU visa policy and expected perspectives. The majority of printed media focuses attention on the negative experience of Ukrainian applicants, sharply criticizing the treatment on behalf of consular staff or peculiarities of visa procedure in consular establishments of EU Member States. The simplified coverage leaves out the difficulties which are typical for Ukrainian applicants and Ukrainian state as the whole. The list of reasons and factors which provide for the full and objective picture is also often left behind.

Mass media is the reflection of general attitude of the citizens towards visa/travel/migration issues, it may be followed in a number of publications in printed and electronic mass media which appeared in 2007 and 2008. Most of the headings of such materials reflected those negative tendencies in subject perception which dominated during the year. The reader could in particular catch such titles as “The third race”, “Schengen Toll Bar”, “Derision of Ukrainians in Europe”, “People of non Schengen nationality”, “Insincere Europe”, “Facilitation on the Verge of Absurd”, “Rejection by Europe”, “Europe’s Ukrainophobia. How to Jump Over the Visa Fence”,

“Europe’s Aversion”, “The Right to Humiliation”, “On the Other Side of Schengen Fence”, etc.

These publications pertained to numerous visa issues: complicated requirements, non transparency of visa procedure, more complicated situation after the Schengen Zone expansion, etc.

However most attention was devoted to the Agreement on Facilitation of the Issuance of Visas (VFA) which was fairly regarded as the first step made by Ukraine towards visa free regime. Agreement efficiency was evaluated by a number of mass media as insufficient, and in December 2008 the popular weekly magazine “Correspondent” awarded the Agreement with the title “Disappointment of the Year” when the magazine was summarizing the most outstanding events of the year.

Formation of overestimated expectations and the problem of mass media competence

One of the most discussed subjects in 2008 was the issue of visa procedure facilitation by EU Member States. In most cases the journalists were to a certain extent optimistic in informing the citizens about the “victory” of Ukrainian diplomacy – implementation of VFA. For example, due to the “help” of certain officials who did not apply the correct terms, many journalists used the formulation: “facilitation (liberalization) of visa regime” instead of “facilitation of visa issuance»¹. This error has had substantial impact on the formation of certain hopes and expectations which actually related to (according to the majority of VFA clauses) specific categories of the citizens

1 Correspondent. #45 – November 22, 2008

which make up about 5-10% of all the population of Ukraine.

Mass media messages concerning the Agreement were focused on the advantages of visa procedure for certain categories of the citizens, but at the same time the deficiency of instruments of direct action and recommendation character of many vital clauses was not mentioned².

One of the typical exaggerations concerning impact of the VFA on visa procedure was the statement that the Agreement would oblige staff of EU consular establishments to provide explanations for visa refusals³. However, in correspondence with the VFA the parties appealed to EU Member States requesting to change the existing practice and introduce obligatory explanations for negative decisions as currently this issue belongs to the sphere of internal legislation of each EU Member State

Another example of insufficient visa subject coverage is connecting the VFA with the Agreement on Readmission in the negative context, i.e. describing it as the high price paid by Ukraine for visa procedure facilitation⁴. At the same time mass media “forgets” to inform that European Union has similar agreements on readmission with almost all EU neighboring countries, including Russian Federation and all countries that either have acquired visa free regime or are on the way to it. For example, Romania, Bulgaria, Western Balkan countries had taken obligations in the sphere of readmission long before

2 *Correspondent*. – December 18, 2007
<http://www.korrespondent.net>

3 TSN. «Ukrainians do not obtain Schengen Visas» – July 16, 2008 .
http://www.1plus1.ua/tsn_news
Expres. EU has Ratified Facilitated Regime for Ukrainians. –
November 28, 2007 p. <http://www.expres.ua>

4 *NEWSru.ua*. *Illegal migrants are to expand Ukraine*.
– November 7, 2007

introduction of visa free regime.

Journalists often form negative ratings of consulates which are listed according to “friendly” or “negative” attitude towards Ukrainian applicants. Certain attempts are also made to rate visa procedures in Consulates as the most complicated, “impolite” or the simplest ones⁵. On the one hand, introduction of ratings can serve as an indicator for the applicants who should adequately prepare the documents for submission procedure and on the other hand it is a signal for authorities of Ukraine and EU about peculiarities of the policy realized by a certain country regarding the citizens of Ukraine.

Not diminishing the impact and efficiency of ratings suggested by certain mass media, we should mention that their evaluations are mostly based on emotional declarations of the applicants and their personal experience of undergoing visa procedure. In fact, regardless the official statements about common approaches implemented by EU Member States in visa proceedings, the practice lacks unified procedure. However, external observations and collected feedbacks are not sufficient for objective ratings which are based on quantitative calculations.

As visa procedures are noticeably different the following question arises: whether generalizations and schematic approaches towards visa practice in different Consulates are appropriate. In this case we speak about different approaches in terms of informing the citizens, existence and length of lines, treatment of the applicants on behalf of Consular staff (readiness to provide additional information), number of refusals and practice of their justification as well as other components of visa procedure.

5

Vlast Deneg. № 27 (186) – July 4 – 10, 2008

Another evidence of competent and attentive mass media coverage of visa issue peculiarities is publishing stories of those citizens who did not obtain visas.

Generally this is a very effective way of fighting non transparent visa system in particular in the cases of visa refusal. Through making visa case a “personal” story mass media maintains high public interest in the practice of consulates. The case of Ukrainian writer Taras Prokhasko became rather well known. Polish Consulate refused to issue him a visa and the staff requested the author to bring his books in order to prove that he was a writer⁶. Another example of broad media coverage of refusal cases was the story of “Children of Ukraine” ensemble, whose representatives had been dancing for three hours in front of the Consulate of France in order to demonstrate their professionalism and confirm by this their real purpose of the visit⁷.

However, before sharing personal stories with general public the reasons for visa refusals should be analyzed even if official written refusal explanation is missing. Direct and mediated questions may help to compose fairly clear grounds for unsuccessful visa application.

There are other touchy issues of visa policy which may often turn into a certain competence test for mass media. For instance, the issues of symmetry/asymmetry of visa relations between Ukraine and the EU Member States. Mass media frequently publishes declarations made by certain politicians concerning introduction of symmetrical visa regime with EU Member States as a response to unsatisfactory visa practice of EU countries. These declarations are actively supported

6 *Profile. №39(58) – October 11, 2008*

7 *Ukrayinska pravda. 06.07.2007*

by many citizens of Ukraine: to introduce the same obstacles for EU citizens as a response to visa barriers created by EU Member States. Such steps may be considered as legitimate diplomatic pressure. However their use should not replace real domestic work and prevent Ukraine from meeting complicated but absolutely necessary criteria and standards which will provide the ground for visa free regime.

The declaration made by the President of Ukraine and his relevant decree of late August 2008 on the possible reconsidering of unilateral visa-free regime between for the EU citizens sounded as a diplomatic pressure before the start of visa dialogue between Ukraine and EU, but was not commented by media properly.

Mass media makes important contribution into settling visa problems for Ukraine by equally providing its media time for the comments made not only by politicians but also specialists, experts, public figures, representatives of diplomatic missions of EU Member States able to discuss this sensitive topic in a more profound way.

Newsbreaks

Late 2007 and the whole year of 2008 was significant due to a very important news for Ukrainian travelers to the EU – the launch of VFA implementation. Most mass media more or less covered this event and it became one of the most indicative subjects concerning mass media impact on public opinion. During the research held by CPCFPU in 2008 the experts had the possibility to explore the level of Ukrainian applicants' knowledge about the Agreement. According to the results of two stage research more than 60% of the respondents - visitors

to Consulates of EU Member States know or have heard about the Agreement. However a slightly superficial way of covering this problem proved to have its impact as the majority of the respondents were not aware about the ways available for them to use Agreement clauses in practice. The results obtained demonstrate rather high attention to this event in quantitative rather than qualitative dimension.

Another example of specific mass media impact on public opinion is media research on most important visa problems. For example, in July of 2008 the weekly “Vlast Deneg” (Power of Money) held a research in the sphere of shadow market in obtaining visas which is rather developed in Ukraine⁸.

Activities of private commercial companies which offer their services at all stages of visa procedure are perceived both by Ukrainian authorities and citizens as an integral part of visa application whereas official representatives of diplomatic missions continuously declare that they are not involved into offered services. At the same time according to unofficial expert evaluations visa market reaches 1 billion dollars a year and the system of mediators between the applicant and the Consulate includes different parties, such as private persons – relatives who are employed at Consular establishments, tour agencies and accredited tour operators, visa centers, etc.

Detailed market analysis which has been formed in visa sphere provokes certain conclusions which explain the reasons for such phenomenon in Ukraine. Firstly, strict visa requirements turn into complicated obstacles and applicants try to overcome them in different ways, mostly by making use of paid services provided by mediators. Secondly, there is a lack of fighting

8 *Vlast Deneg. Persons of non Schengen Nationality. #27 (186) – July 4-10, 2008*

corruption by official authorities of Ukraine; low awareness level among Ukrainian applicants about the peculiarities of visa application and legal ways of settling doubtful cases which resulted due to visa refusal or delay in obtaining the visa. It should be underlined that visa policy is a profit sphere and it gives large profits on a regular basis. This may be one of the reasons for rather slow changes in visa policy.

Journalists have continuously focused their attention on other important issues in visa sphere – creation of centers for visa documentation processing called Visa centers. Most printed and Internet media turned the attention to the existence of outsourcing paid services. Mass media pointed out exclusively negative outcomes of visa center activities⁹, in particular increase in visa application fees (additional fee was introduced for documents submission and procession) and lack of impact of Visa centers on the result of visa application. This subject was the key one in the weekly “Expert” on August 3, 2008¹⁰.

Authors of the article state that creation of Visa centers has become one of the ways to violate international agreements (due to additional fees exceeding 35 Euro stipulated in the Agreement). However they forget to add that such cooperation between Consulates and mediator centers is based on generally legitimate grounds and is regulated by Common Consular Instructions. The main problem of activities of such centers lies in the lack of alternative choice (in most cases) for the citizens whether to turn directly to the consulate or to Visa centers while submitting the documents.

Regardless the fact that most analytical materials concerning

9 *Fingerprints for a Visa to Great Britain.* – 19.07.2007, www.segodnya.ua/news/

10 *Expert. The Schengen Toll Bar.* # 30 (174) – July 28 – August 3 2008

Visa centers' activities were focused on negative sides, the monitoring of Visa center activities held in 2007 and monitoring of consulates held in 2008 revealed rather different evaluations¹¹. In particular, the respondents stated certain improvement of several aspects in visa procedure: shortening of lines and duration of visa application process. The journalists did not inform about the idea of creating similar centers in the regions of Ukraine – this decision can solve the problem of distances for Ukrainian applicants.

Violation of the rights of Ukrainian citizens during visa application process or their humiliation abroad comprises another subject for quick mass media reaction and broad coverage. The story of Ukrainian workers abroad analyzed in weeklies “Dzerkalo tyzhnya”¹² and “Glavred”¹³ in July 2008 was rather indicative and instructive.

Ukrainian workers who were lawfully returning from Spain through the territory of Germany were suspended by German policemen who took humiliating and tough measures to check them. The problem was that Ukrainian citizens obtained working visas issued by Spanish Consulate with the permission of single transit entry to Schengen countries. Coming back by overland transport they formally broke specific laws; however it was not their fault as it was caused exclusively by the deficiency of relevant clauses in national and Schengen law.

Journalists from both magazines performed correct and

11 *Details about it: Expansion and Modernization of the Schengen: Consequences and Perspectives for Ukraine. Analytical report. – K: CPCFPU, 2008.*

12 *Sylina T. The Third Race. – Dzerkalo Tyzhnya. # 22 (701). June 14-20, 2008, <http://www.dt.ua>*

13 *Horbach D. Derision of Ukrainians in Europe. – Glavred. # 30 (79) July 28, 2008*

thorough analysis of this problem paying attention to all peculiarities of this case as it was not a unique one. Not only Ukrainian, Spanish and German diplomats but also official representatives of Ukrainian executive authorities and European Commission as well as independent experts were asked to make comments and analysis of the situation. Besides, the competence of authors of the abovementioned publications was attested by the suggested legal ways of solving this issue.

Visa dialogue between Ukraine and European Union as well as perspectives of visa free regime were another subjects of media attention since early September 2008. In this case mass media (with the “help” of some politicians) **sometime provide for over-expectations**. As Ukraine officially wants to get visa free regime with the EU in 2012 (expecting “EU’s gift” before Euro-2012), this date is frequently suggested in mass media as the anticipated date for such introduction but generally it does not match real prognosis.

Thus overestimated expectations are formed in this case as well, and when they are not realized they will provoke further disappointment. Such disappointment could have been avoided if mass media would have relied more on the comments of experts rather than on the politicized slogans.

Publications on visa dialogue mostly were not supported by the comments on the content and possible scenarios of the very visa dialogue and relevant reforms, content of which defines the terms and conditions for visa free future of Ukraine. Mass media, apart from “Dzerkalo Tyzhnya” and “Segodnya” did not publish any materials concerning the content and priorities of visa dialogue with the EU taking into account the experience of the countries which had similar aims and moved towards visa free regime at different speed and efficiency level.

Quite often another rotation of EU Presidency was the newsbreak in numerous mass media. Focusing its attention on priority mission of next presiding EU state, in particular in terms of economics and energy, mass media pays attention to visa policy as well. Comments made by most representatives of presiding EU states concerning visa issues are typical as they are not beyond the scope of stereotype diplomacy.

Nevertheless in the beginning of July 2008 the attention of Ukrainian mass media was focused on sharp reaction expressed by Ambassador of France in Ukraine Jean-Paul Veziat, representing the country presiding EU at that time, in response to the series of critical publications in Ukrainian mass media concerning visa problems. Reacting to numerous critical publications concerning visa issuance by EU Member States for the citizens of Ukraine during the press conference on the 8th of July Ambassador of France noted: “I have the impression that the situation concerning this issue is created artificially as we speak about a certain planned informational campaign”.

At the moment Eastern Partnership initiative which was finally approved by EU in March 2009 is regarded as another “salvation” for Ukraine from visa regime with EU. Such initiative, proposed by Sweden and Poland to a certain extent strengthens the European Neighborhood policy for the benefit of dynamic and stable development of Eastern Europe.

Interpreting the aims of European proponents of Eastern Partnership mass media frequently stated the declarations that apart from strategic initiatives (economy, legislation), the EaP will be able to promote further liberalisation of visa regime. Mass media left behind their attention the issues of concrete actions and steps which should be applied in terms of such facilitation in the framework of Eastern Partnership and how the European initiators of the program understand the term “liberalisation”.

Ukrainian mass media did not comment (till April 2009) on full lifting of payment for visa procedure (Consular fee) which is laid down in EaP basic documents and accordingly the proposition of Ministry of Foreign Affairs of Ukraine to make use of this opportunity in the nearest perspective did not become widely known among the audience.

Mass media paid a lot of attention on visa issue during the whole year of 2008. Experts needed effective and quick access to wider public and media actors quickly absorbed and distributed the news on visa issues.

At the same time information space of Ukraine still experiences the gap between quality expert knowledge and the content of publications on the topic. The risk of politicization and populism will probably continue to challenge the quality information provided.

How to improve visa issue coverage in Ukrainian mass media?

The subject of EU visa policy and practice has become widely discussed in Ukrainian media due to EU and Schengen enlargement and due to increase of credible interest of Ukrainian citizens to travel to the EU Member States.

The request for such discussions will continue to grow regardless economic crisis due to objective prognosis of newsbreaks (further evaluation of implementation of the Agreement on the Facilitation of Issuance of Visas, lifting visa fees, negotiations on visa free regime introduction, launch of EU “Eastern Partnership” initiative, future Association Agreement, Euro-2012, etc).

Novelty of the subject demands new knowledge and most of media still lack such knowledge. Only of few mass newspapers and TV channels employ journalists who individually research visa subject on an expert level (Dzerkalo Tyzhnya, Segodnya). That is why cooperation between mass media and independent experts is the best tool of providing unbiased, multifaceted, and well thought information concerning the regulations and conditions for obtaining visas to EU Member States.

Coverage of this touchy issue demands higher responsibility and adequate competence. Domination of exclusively negative, sometimes unjustified visa stories has depressive impact not only on potential applicants in their attempts to obtain visas but increases unjustified skepticism concerning Europe and European choice of Ukraine as well.

Ukrainian mass media has powerful impact tools in order not only to create competent informational field but also to form adequate public culture in this sphere. It will contribute to quick elimination of visa barrier in this part of Europe.

Thus, this brief evaluation of publications in Ukrainian mass media on visa deals between Ukraine and EU encourages us to address the media community the following suggestions and recommendations:

- **Politicization of the topic is extremely undesirable.** Visa problem discussion via political means (especially during election campaigns) will disorientate target audience either by further **formation of overestimated expectations** (“visa free regime – tomorrow!”) or by **imposing false views concerning ways for settling the problem** (renewal of visa requirements for EU citizens on behalf of Ukraine, refusal to implement Agreement on Readmission, etc.)

- **New political declarations should be followed by professional comments** with the involvement of independent experts who directly deal with visa and migration policy, relations between Ukraine and EU.
- As the problems with visa issuance for the citizens of Ukraine are not only the outcome of “evil will” of the consulates but quite often the result of applicants’ behavior (incompetence, lack of confidence, providing ambiguous, irrelevant and sometimes false information about the applicant and the purpose of the visit, use of services of doubtful mediators) the analysis of the core of this problem should be done in more profound way.
- According to our observations, large part of the problems with obtaining visas to EU could have been eliminated if the applicants would have more thoroughly and carefully prepared for the visa procedure, would have been better informed about the core of the procedure and requirements for the applicant, including the “psychology factor”. Mass media could be of assistance by informing the applicants about successful visa applications and relevant experience of settling the problems with consulates of EU Member States. In such a way mass media can help Ukrainian citizens who plan to travel to EU in more effective way than traditionally criticizing or (which is worse!) extending panic attitudes.
- In the case of prejudiced treatment, in particular in the case of visa refusal, mass media **should study each case more thoroughly** and state the difference between the situations when the refusal was given due to improper or inattentive preparation to visa application or due to incorrect policy of relevant consular establishment.

- It is important to share with the public the idea that the results of visa dialogue will depend not only on the actions of Ukrainian authorities but of the whole society as well. The society will be judged according to **its ability to adhere to European norms and rules, foremost by respecting the rule of law and legal culture on the public level.**

ALL-UKRAINIAN CONSORTIUM OF THINK-TANKS AND NGOS

“Europe without Barriers”

All-Ukrainian consortium of NGOs and think tanks was created in summer 2008 in order to consolidate the efforts of public activists and experts aimed at eliminating barriers for freedom of movement within Europe.

The first project was carried out with the support of International Renaissance Foundation. Its results are presented in this publication.

The participants of Consortium jointly promote people to people contacts in Europe, in particular via independent monitoring of visa issuance by the EU Member States for Ukraine's citizens.

Consortium members evaluate the quality of implementation of the Agreement on the Facilitation of the Issuance of Visas between Ukraine and EU.

Geographically the founding organizations represent cities (regions) where EU Consular establishments are located: Kyiv, Lviv, Odesa, Donetsk, Uzhgorod, Lutsk, Kharkiv.

Web-project of the Consortium:

www.novisa.org.ua

FOUNDING ORGANIZATIONS OF THE CONSORTIUM:

Center for Peace, Conversion and Foreign Policy of Ukraine

The institution was created in 1992. In 1995 it registered by UN Institute on Disarmament (Geneva) UNIDIR (RN I-900).

Major activity focus is concentrated in the sphere of international policy, security, defense, political and social development of Ukraine, ways of its integration into European and world community.

Over 1994-2008 CPCFPU studied a number of issues in the sphere of Ukraine-EU relations. As a result a number of analytical reports and informative and analytical publications in Ukrainian and English were presented, namely: Ukraine: the Problem of International Migration; the Way of Ukraine towards EU: the View from Ukraine; Relations in the Triangle Russia-Belarus-Ukraine.

CPCFPU pays special attention to the studies and research of visa policy between Ukraine and EU Member States. A number of researches on visa practices of EU Member States were initiated in order to compensate the lack of informational analytical materials on EU visa policy and its policy in terms of borders and migration. More than ten international projects were implemented on the subject of visa and migration issues, five policy papers were presented and a number of articles were published on the subject of people-to-people contacts in Europe, visa regimes, border management, migration, etc.

Since 2008 CPCFPU has been coordinating the work of the

Consortium of NGOs and think tanks of Ukraine on visa policies and practices of EU Member States in Ukraine and wider problems of people-to-people contacts.

The results of CPCFPU studies are distributed among state officials, including Verkhovna Rada of Ukraine, Presidential Secretariat, Council of National Security and Defense, Ministry of Foreign Affairs, political leaders in Ukraine and abroad.

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Regional Branch of National Institute for Strategic Studies in Uzhgorod

Regional Branch of National Institute for Strategic Studies in Uzhgorod was created in 1999 as a structure providing informational analytical activities of higher state administration, state authorities and local administration. It is the only professional expert analytical establishment in the region which conducts regular monitoring of EU enlargement processes towards East and benefits to minimization of negative Schengen impact on border territory of Ukraine.

Activating the public of the region in terms of practical implementation of strategic course of Ukraine towards European integration, settling the issues of regional development, the branch initiates expert discussions and realizes projects on relevant issues involving experts from neighboring countries of Ukraine. *It enables developing consolidated position of regional expert elites from border territories of neighboring countries which makes it possible to minimize challenges and risks of transformational process.* The branch takes part in developing the strategy and programs of Carpathian Euroregion development (border territories of Ukraine, Hungary, Poland, Slovakia and Romania).

The branch continuously supports partner relations with well known foundations and expert centers of Ukraine and neighboring countries, among them: Slovak Association of Foreign Policy, Freedom House Foundation, Friedrich Ebert Foundation, Konrad Adenauer Foundation, Carpathian Euroregion Foundation, Carpathian Foundation, Institute for Euro-Atlantic Cooperation, O. Razumkov Ukrainian Center for Economic and Political Studies, International Center for Policy

Studies, Center for Peace, Conversion and Foreign Policy of Ukraine, Institute for International Security Issues at Council of National Security and Defence of Ukraine, Defence Institute named after Miklos Zrinyi (Hungary, Budapest) and others.

In cooperation with the abovementioned organizations the branch presented about 20 expert publications on this subject which were distributed among decision makers on foreign policy of Ukraine.

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Donetsk regional NGO

«Institute for Social Studies and Political Analysis»

The Institute was founded in 1999 and registered as regional NGO on December 17th, 2002.

The aim of Institute activities is to benefit to establishment of democratic values and open society, distribution and popularization of achievements of national and world science in the sphere of social studies, studying the processes of modern regional and country development, overall support of education, science, culture and effective policy growth, their transparency for the benefit of society. Institute acts according to current legislature as a regional center supporting non profit organizations as well as other institutions and establishments, promoting the development of regional educational and informative popular centers, organizations, associations.

The organization specializes on research, expert, informational and education activities in the region. Organization has considerable experience in implementing research, monitoring projects with national and foreign partners. The institute provides informational and consulting services, PR. Institute staff includes professionals on election technologies, electoral behavior, fighting fraud during election campaigns.

Institute has a network of trained interviewers for social researches, moderators for holding focus group interviews and trainers.

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Association for Youth Rights Protection in Volyn region

Association is a regional NGO which was created on May 12th, 1999 in Lutsk.

The mission of the Association on Protection the Rights of Young People in Volyn Region is to benefit to development of full-fledged civil society, founded on values of democracy, traditional moral values and harmony of interests of society and individuals.

Tasks of the Association:

- Setting intra-sector partnership between state authorities, business and public.
- Promoting employment of Volyn youth.
- Providing psychological and legal consultations for young people.
- Spreading information about the activities of NGOs.
- Holding training for youth and NGOs.

The main types of Association activities include: organization and holding trainings and seminars, round tables, providing consultations on legal issues, setting contacts between NGO and business, informational support of NGOs, providing free consultations for young people of Volyn concerning employments, creating public organizations, starting one's own business.

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**Kharkiv Public Foundation for Local Democracy
(Kharkiv)**

Kharkiv Public Foundation for Local Democracy (Kharkiv) is a non governmental non profit organization created in 1995 in order to influence political, economic and social processes in Ukraine benefiting to local administration, development of civil society and democracy.

Fields of activities: Politology, economic and legal researches. Expertise of current legislature and local regulatory acts. Developing recommendations for authorities in order to take public opinion into account during the decision making process. Expertise of political and economic programs, election technologies. Promoting cooperation between state authorities and non governmental organizations, introduction of practice of civil participation in decision making. Holding trainings, seminars, conferences, publishing scientific and methodology materials.

Kharkiv European Club was established on the basis of the Foundation.

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Lviv Legal Society

Lviv Legal Society was founded in 2005 as a public association of scientists and attorneys.

Initial name of the organization – Society for Promoting Ukrainian-Polish Cooperation on Legal Education and Science (up to 2008).

The Society co-organized a number of scientific practical conferences on the issues of introduction and development of constitutional law, held a number of regular meetings with scientific constitutionalists from Ukraine and the Republic of Poland.

The main activities of the Society include researches of the problems of Ukrainian constitutionalism and public legislature, problems of ensuring the right for freedom of association and movement.

In 2008 with the support of Lviv Legal Society the materials of the first meeting of Ukrainian-Polish constitutionalist club were published “Modern Constitutionalism: Experience of New Democracies” (edited by V. Shapoval, V. Skshydlo, P. Stetsyuk).

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Information-Research Center “Global” (Odesa)

Information-research center “Global” (Odesa) was created in 2005 as NGO by the efforts of scientists from Center for International Studies at Odessa National University named after Illya Mechnykov (V. Dubovyk., D.Kuzmin., S. Glebov) in order to support initiatives aimed at introduction of new informational technologies, proving public with objective and comprehensive information on social, political, international and economic and legal spheres, analysis of current state of social political problems, modeling the tendencies of social and economic situation development.

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